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Agenda item 72 (c)

**Promotion and protection of human rights: human rights situations  
and reports of special rapporteurs and representatives**

**Situation of human rights in the Palestinian territories  
occupied since 1967**

**Note by the Secretary-General\***

The Secretary-General has the honour to transmit to the General Assembly the report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, Francesca Albanese, in accordance with Human Rights Council resolution 5/1.

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\* The present report was submitted to the conference services for processing after the deadline so as to include the most recent information.

**Report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967,  
Francesca Albanese**

**Gaza Genocide: a collective crime**

*Summary*

The ongoing genocide in Gaza is a collective crime, sustained by the complicity of influential Third States that have enabled longstanding systemic violations of international law by Israel. Framed by colonial narratives that dehumanize the Palestinians, this live-streamed atrocity has been facilitated through Third States' direct support, material aid, diplomatic protection and, in some cases, active participation. It has exposed an unprecedented chasm between peoples and their governments, betraying the trust on which global peace and security rest. The world now stands on a knife-edge between the collapse of the international rule of law and hope for renewal. Renewal is only possible if complicity is confronted, responsibilities are met and justice is upheld.

## I. Introduction

1. Without the direct participation, aid and assistance of other States, the prolonged unlawful Israeli occupation of the Palestinian territory, which has now escalated into a full-fledged genocide, could not have been sustained. The military, political and economic support of some Third States and the unwillingness to hold Israel accountable has enabled Israel to embed its regime of settler-colonial apartheid in the occupied Palestinian territory (oPt), with more colonies, home demolitions, restrictions on movement and loss and erasure of Palestinian life. Since October 2023, Israel has escalated its violence to an unprecedented level.

2. In light of this complicity, this report demonstrates that the ongoing genocide of the Palestinians must be understood as an internationally enabled crime. Many States, primarily Western ones, have facilitated, legitimized and eventually normalized the genocidal campaign perpetrated by Israel.<sup>1</sup> By portraying Palestinian civilians as “human shields”<sup>2</sup> and the broader onslaught in Gaza as a battle of civilization against barbarism, they have reproduced the Israeli distortions of international law and colonial tropes, seeking to justify their own complicity in genocide.

3. Focusing on the aid and assistance that Third States have provided to the illegal Israeli occupation and its genocide of the Palestinian people, the report identifies four sectors of support: diplomatic, military, economic and “humanitarian”. Each is indispensable to the ongoing Israeli violations of international law. Diplomatic initiatives have normalized the Israeli occupation and failed to achieve a permanent ceasefire. Large-scale military aid, cooperation and arms transfers, primarily to and from the United States and European States, have enabled Israeli domination over the Palestinian people. This has also facilitated Israeli actions to dismantle humanitarian aid and impose conditions of life calculated to bring about the destruction of Palestinians as a group. Economic cooperation has fuelled the Israeli economy, which has profited from the illegal occupation and genocide.

4. The successful measures implemented against Apartheid South Africa, Rhodesia, Portugal and other colonial regimes demonstrate that international law can be enforced to secure justice and self-determination. Today, Third States have the same legal and moral obligation to apply these and other measures against any State still perpetrating settler-colonial violence and apartheid. Their failure to hold Israel accountable for its long-standing international crimes – despite clear orders from international courts – exposes the flagrant double standards of the international community.<sup>3</sup>

## II. Methodology

5. The report was developed through a review of UN materials, including the report of the Secretary General A/79/588 and 40 submissions from State and non-State actors. All 63 States mentioned in the report were provided the opportunity to comment on factual errors or inaccuracies; 18 States submitted a reply.

## III. Legal Framework

6. International law imposes a range of obligations on all States to respect, prevent and bring an end to violations whenever they occur. In the context of the oPt, the most relevant are:

<sup>1</sup> A/HRC/55/73, paras 55-92.

<sup>2</sup> Neve Gordon and Nicola Perugini, *Human Shields: A History of People in the Line of Fire* (University of California Press, 2020); <https://jewishcurrents.org/human-shields-gaza-israel-a-legal-justification-for-genocide> <https://bidenwhitehouse.archives.gov/briefing-room/speeches-remarks/2023/10/20/remarks-by-president-biden-on-the-united-states-response-to-hamass-terrorist-attacks-against-israel-and-russias-ongoing-brutal-war-against-ukraine/>.

<sup>3</sup> Ardi Imseis, *The United Nations and the Question of Palestine, Rule by Law and the Structure of International Legal Subalternity* (Cambridge University Press, 2023).

(a) Direct obligations all States owe to the Palestinian people – especially the obligations to respect their right to self-determination<sup>4</sup> and freedom from apartheid<sup>5</sup> and genocide<sup>6</sup> – and to the State of Palestine, while respecting the principles of non-interference, territorial integrity, political independence and self-defence.<sup>7</sup>

(b) Obligations *erga omnes* arising from the serious breach of peremptory norms – the obligation to respect the self-determination of the people, the prohibition of genocide, racial segregation, apartheid and territorial acquisition through force by Israel, including:<sup>8</sup> (i) a positive obligation to, individually<sup>9</sup> and cooperatively, bring any unlawful situation to an end through lawful means; and negative duties to not (ii) recognize as lawful the situation arising from their breach, or (iii) render aid or assistance to maintain that situation.<sup>10</sup>

(c) Obligations of due diligence to prevent specific violations of international law, including the obligations to: (i) prevent genocide (triggered when a “serious risk” arises);<sup>11</sup> (ii) ensure respect for international humanitarian law<sup>12</sup> (triggered when violations are “likely or foreseeable”<sup>13</sup>) and (iii) cooperate to prevent crimes and attacks on internationally protected persons.<sup>14</sup>

(d) Obligations to refrain from aiding or assisting,<sup>15</sup> or directly participating in internationally wrongful acts of other States,<sup>16</sup> including aggression,<sup>17</sup> apartheid<sup>18</sup> and genocide.<sup>19</sup>

7. While international law does not prescribe the specific actions that Third States must take to discharge their obligations, certain obligations are assessed according to results. Where these obligations are duties of conduct, State responsibility depends on the

<sup>4</sup> A/77/356, paras. 15–32.

<sup>5</sup> Convention on the Suppression and Punishment of the Crime of Apartheid, Article 1; Convention on the Elimination of All Forms of Racial Discrimination (CERD) Article 3; *Legal Consequences Arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem*, Advisory Opinion, 19 July 2024, I.C.J. Reports 2024, para. 229.

<sup>6</sup> Genocide Convention, Article I.

<sup>7</sup> UN Charter, Articles 2(4), 2(7), and 51; and <https://opiniojuris.org/2025/09/24/too-little-too-late-on-the-meaning-and-consequences-of-the-recognition-of-the-state-of-palestine/>.

<sup>8</sup> *Articles on Responsibility of States for Internationally Wrongful Acts*, Article 40.

<sup>9</sup> <https://alhaqueurope.org/wp-content/uploads/2025/09/Wilde-Palestine-AO-OPT-Al-Haq-Europe-Opinion.pdf>, pp. 43–45.

<sup>10</sup> *Articles on Responsibility of States for Internationally Wrongful Acts*, Article 41; and *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*, Advisory Opinion, 9 July 2004, I.C.J. Reports 2004, para. 159.

<sup>11</sup> Genocide Convention, Article I; *Reservations to the Convention on the Prevention and Punishment of the Crime of Genocide*, Advisory Opinion, 28 May 1951, I.C.J. Reports 1951, p. 23; and *Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Serbia and Montenegro)*, Judgement, I.C.J. Reports 2007, para. 431.

<sup>12</sup> Common Article 1 to the Geneva Conventions; International Committee of the Red Cross on customary international humanitarian law, Rule 144; *Legal Consequences Arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem*, Advisory Opinion, 19 July 2024, I.C.J. Reports 2024, para. 279; and *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*, Advisory Opinion, 9 July 2004, I.C.J. Reports 2004, para. 159.

<sup>13</sup> *Military and Paramilitary Activities in and against Nicaragua (Nicaragua v. United States of America)*, Merits, Judgement, I.C.J. Reports 1986, p. 130, para. 256.

<sup>14</sup> Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents (1973), Article 4; and A/RES/37/123.

<sup>15</sup> *Articles on Responsibility of States for Internationally Wrongful Acts*, Article 16; and *Draft articles on the responsibility of international organizations Article 14*.

<sup>16</sup> *Ibid.*, Article 47; and *ibid.*, Article 48.

<sup>17</sup> A/Res/3314(XXIX).

<sup>18</sup> Apartheid Convention, Articles III, IV.

<sup>19</sup> Genocide Convention, Article III(e).

circumstances involved,<sup>20</sup> gravity of the violations in question,<sup>21</sup> level of influence over the violating State<sup>22</sup> and the means available to exert such influence.<sup>23</sup> A State fails in its obligation if it does not use all available means to discharge it.<sup>24</sup>

8. Certain areas of international law do specify the means available to States and the *opinio juris* regarding expected actions, which are relevant to assessing Third State compliance with their obligations. These include:

(a) **Forcible measures:** Third States may, and in some case must, use force against a State in violation of Article 2(4) of the UN Charter, in at least three circumstances: (i) under Article 51 of the UN Charter, Third States may intervene on request of a State acting in self-defence when subject to an act of aggression;<sup>25</sup> (ii) pursuant to a UNSC Resolution under Chapter VII of the UN Charter; (iii) under the Uniting for Peace resolution.<sup>26</sup>

(b) **Arms embargoes:** the Arms Trade Treaty prohibits arms and other military-related transfers when it is known or should have been known that the goods will be used in international crimes.<sup>27</sup> It also requires risk assessments to prevent transfers where there are overriding risks to international peace and security or of serious violations of international human rights and humanitarian law.<sup>28</sup> Prohibitions also apply to transit and trans-shipment.<sup>29</sup>

(c) **Trade embargoes:** treaties under the World Trade Organization allow States to deviate from core trade principles, such as Most Favoured Nation, to fulfil their UN Charter obligations relating to international peace and security, including peremptory norms.<sup>30</sup> Bilateral free trade<sup>31</sup> and investment agreements<sup>32</sup> with Israel usually contain similar clauses, and human rights arguments have been upheld in international arbitration.<sup>33</sup> To the

<sup>20</sup> *Obligations of States in respect of Climate Change*, Advisory Opinion, 23 July 2025, I.C.J. Reports 2025, para 137, 247.

<sup>21</sup> *Ibid*, para 283; International Tribunal for the Law of the Sea, *Request for an Advisory Opinion submitted by the Commission of Small Island States on Climate Change and International Law*, ITLOS Case No. 31, Advisory Opinion, 21 May 2024, para 239; and “50. The obligation of Third States to prevent genocide” (*Advisory Committee on Issues of Public International Law*, 2025), p. 7.

<sup>22</sup> *Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Serbia and Montenegro)*, Judgement, I.C.J. Reports 2007, para. 430; and International Committee of the Red Cross on Updated Commentary on the First Geneva Convention (2016) Article 1, paras. 164-168.

<sup>23</sup> *Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Serbia and Montenegro)*, Judgement, I.C.J. Reports 2007, para. 431.

<sup>24</sup> *Obligations of States in respect of Climate Change*, Advisory Opinion, 23 July 2025, I.C.J. Reports 2025, para 208; *Ibid* (Bosnia v Serbia), paras. 430- 431; ICRC on Updated Commentary on the First Geneva Convention (2016) Article 1, para 165.

<sup>25</sup> A/RES/3314 (XXIX); <https://verfassungsblog.de/a-seismic-change/>; *Military and Paramilitary Activities in and against Nicaragua (Nicaragua v. United States of America)*, Merits, Judgment, I.C.J. Reports 1986, para. 191.

<sup>26</sup> A/RES/377(V); <https://mondoweiss.net/2025/08/how-the-un-could-act-today-to-stop-the-genocide-in-palestine/>

<sup>27</sup> Arms Trade Treaty (ATT) Article 6; and [https://www.thearmstradetreaty.org/hyper-images/file/ATT\\_CSP10\\_WGETI\\_Voluntary%20Guide%20to%20Implementing%20Articles%206%20&%207%20of%20the%20ATT\\_EN/ATT\\_CSP10\\_WGETI\\_Voluntary%20Guide%20to%20Implementing%20Articles%206%20&%207%20of%20the%20ATT\\_EN.pdf](https://www.thearmstradetreaty.org/hyper-images/file/ATT_CSP10_WGETI_Voluntary%20Guide%20to%20Implementing%20Articles%206%20&%207%20of%20the%20ATT_EN/ATT_CSP10_WGETI_Voluntary%20Guide%20to%20Implementing%20Articles%206%20&%207%20of%20the%20ATT_EN.pdf), pp 18.

<sup>28</sup> Arms Trade Treaty (ATT) Article 7.

<sup>29</sup> *Ibid*. Article 2.

<sup>30</sup> Common Article XXI(c) of General Agreement on Trades and Tariffs (GATT) 1947 and General Agreement on Trades and Tariffs (GATT) 1994; General Agreement on Trade in Service (GATS) Article XIV bis(1)(c); and [www.wto.org/english/res\\_e/booksp\\_e/gatt\\_ai\\_e/art21\\_e.pdf](http://www.wto.org/english/res_e/booksp_e/gatt_ai_e/art21_e.pdf).

<sup>31</sup> USA-Israel FTA (1985), Article 7; Canada-Israel FTA (1997), Article 20.1; Mercosur-Israel FTA (2009-10), Article 1; EU-Israel Association Agreement (2000), Articles 27, 76.

<sup>32</sup> Israel-UAE BIT (2020), Article 14.4; Israel-Japan BIT (2017), Article 15.2; Guatemala-Israel BIT (2006), Article 7.1; available at <https://investmentpolicy.unctad.org/international-investment-agreements/countries/102/israel>; and [www.law4palestine.org/wp-content/uploads/2025/04/L4P\\_Third-State-Economic-Responsibility-Booklet-PDF.pdf](http://www.law4palestine.org/wp-content/uploads/2025/04/L4P_Third-State-Economic-Responsibility-Booklet-PDF.pdf), pp. 34-38

<sup>33</sup> Federica Violi, “Navigating corporate accountability in international economic law: a critical overview”, in *Handbook of Accountability Studies: Politics, Law, Business, Work*, Ioannis Papadopoulos and others, eds. (Elgar Publishing, forthcoming 2026).

extent that bilateral agreements violate peremptory norms or sustain their serious breach, they are null and void.<sup>34</sup>

(d) **Denial of Safe Passage:** the Convention on the Law of the Sea allows States to prevent “non-innocent passage” where a ship’s passage is not “in conformity with the rules of international law”,<sup>35</sup> and risks rendering the State complicit in international crimes, violations of UN Charter obligations or peremptory norms.<sup>36</sup>

(e) **Prosecution and Punishment:** under the Geneva Conventions and customary international law, all States have the obligation to prosecute and punish genocide, crimes against humanity, war crimes and torture, regardless of their connection to the crime.<sup>37</sup> Third States also have obligations to hold third parties, including corporations, to account for human rights and other violations of international law in their domestic courts.<sup>38</sup>

9. A context of sustained and intersecting peremptory norms’ violations, and the obligation to prevent genocide, compound the imperative to act. It may mean that the actions Third States must take to fulfil their obligations are no longer discretionary, and that in not taking them, States have failed to take all measures reasonably available to them and/or they have aided and assisted in an internationally wrongful act.<sup>39</sup> That is, unless less intrusive measures based on the assessment in paragraph 8 would truly suffice.

10. The conduct of States and international organizations constitutes complicity when their actions aid and assist in a way that: (1) materially or substantially enables or facilitates the commission of the wrongful act;<sup>40</sup> (2) are done with full knowledge of the circumstances, including the imminent or actual occurrence of the wrongful act and, where relevant, the special intent of the perpetrator.<sup>41</sup>

11. State complicity is established when there is a nexus between the actions of the two States in question in the serious breach of peremptory norms.<sup>42</sup> Such complicity may involve

<sup>34</sup> Vienna Convention on the Law of Treaties, Article 53; and A/77/10 (2022) Conclusion 10, p.13.

<sup>35</sup> Convention on the Law of the Sea, Article 19(1), with Article 17; [https://bdsmovement.net/sites/default/files/2025-03/ASCOMARE\\_percent20Legal\\_percent20Opinion\\_percent20\\_percent20Innocent\\_percent20Passage\\_percent20and\\_percent20Due\\_percent20Diligence.pdf](https://bdsmovement.net/sites/default/files/2025-03/ASCOMARE_percent20Legal_percent20Opinion_percent20_percent20Innocent_percent20Passage_percent20and_percent20Due_percent20Diligence.pdf), para. 44.

<sup>36</sup> Convention on the Law of the Sea, Articles 2(1) and 19(1).

<sup>37</sup> Geneva Convention I, Article 49; and Geneva Convention IV, Articles 146-148.

<sup>38</sup> *Legal Consequences Arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem*, Advisory Opinion, 19 July 2024, I.C.J Reports 2024, para. 278, United Nations Guiding Principles on Business and Human Rights, Principles 1, 2 and 25; and A/RES/ES-10/24, Article 5; [https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/coiopt/2024-10-18-COI-position-paper\\_co-israel.pdf](https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/coiopt/2024-10-18-COI-position-paper_co-israel.pdf), paras. 30-31, 33.

<sup>39</sup> [www.justsecurity.org/120757/sanctions-against-israel-an-international-law-perspective/](https://www.justsecurity.org/120757/sanctions-against-israel-an-international-law-perspective/); [https://bdsmovement.net/sites/default/files/2025-03/ASCOMARE\\_percent20Legal\\_percent20Opinion\\_percent20\\_percent20Innocent\\_percent20Passage\\_percent20and\\_percent20Due\\_percent20Diligence.pdf](https://bdsmovement.net/sites/default/files/2025-03/ASCOMARE_percent20Legal_percent20Opinion_percent20_percent20Innocent_percent20Passage_percent20and_percent20Due_percent20Diligence.pdf), paras. 66, 86-88; [www.law4palestine.org/wp-content/uploads/2025/04/L4P\\_Third-State-Economic-Responsibility-Booklet-PDF.pdf](https://www.law4palestine.org/wp-content/uploads/2025/04/L4P_Third-State-Economic-Responsibility-Booklet-PDF.pdf), pp. 7 and 51.

<sup>40</sup> [https://legal.un.org/ilc/texts/instruments/english/commentaries/9\\_6\\_2001.pdf](https://legal.un.org/ilc/texts/instruments/english/commentaries/9_6_2001.pdf), pp. 66, para 5; Vladyslav Lanovoy, “Responsibility for Complicity in an Internationally Wrongful Act: Revisiting a Structural Norm” (2011) Paper Presented at the SHARES Conference “Foundations of Shared Responsibility in International Law”, 17 and 18 November 2011, Amsterdam, pp. 16-20 ; Phoebe Okowa, *State Responsibility for Transboundary Air Pollution in International Law*, (Oxford, Oxford University Press, 2001), p. 188.

<sup>41</sup> *Articles on Responsibility of States for Internationally Wrongful Acts, Article 16; Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Serbia and Montenegro)*, Judgement, 6 February 2007, I.C.J Reports 2007, paras. 421, 432, 436, see also Declaration of Judge Bennouna, p. 361; Marko Milanović, “State Responsibility for Genocide: A Follow-Up”, in *European Journal of International Law* (2007), vol. 18(4), pp. 669-694, p. 687.

<sup>42</sup> *Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Serbia and Montenegro)*, Judgement, 26 February 2007, I.C.J Reports 2007, para. 420; *Legal Consequences Arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem*, Advisory Opinion, I.C.J Reports 2024, 19 July 2024, para. 279; *Obligations of States in respect of Climate Change*, Advisory Opinion, 23 July 2025, I.C.J Reports 2025.

the provision or denial of funds, weapons, fuel, intelligence, diplomatic or political pressure or sanctions, or the implementation of orders and arrest warrants.<sup>43</sup> The intention of a Third State to facilitate a wrongful act is reasonably inferable from the foreseeable consequences of that State's actions.<sup>44</sup> Assistance such as the provision of funds, weapons, fuel and intelligence and other less tangible actions (diplomatic recognition, sanctions, non-implementation of obligations and of court orders) can substantially influence States committing internationally wrongful acts. Knowledge of a State's policies, including through official relationships, may inform relevant inference.<sup>45</sup> While individual actions may not constitute complicity in themselves, their aggregate and cumulative effect over time, including when combined with the actions of other States, must be considered as part of the assessment.<sup>46</sup>

12. When the conduct of Third States is direct, indispensable and constitutive (i.e., without it, the result would have not occurred in whole or in part), it must be considered whether States have gone beyond aid and/or assistance to jointly participate in an internationally wrongful act.<sup>47</sup> As with a joint criminal enterprise under individual criminal responsibility,<sup>48</sup> it is unnecessary to establish that one State performs the wrongful act in its entirety, only that their contribution is a constituent element of the crime and attributable to the State.<sup>49</sup> Direct State responsibility for genocide may arise when (a) conduct attributable to a State is integral to the commission of one or more genocidal acts, and (b) the State formed genocidal intent based on the totality of conduct attributable to it.<sup>50</sup>

13. Israeli violations in the occupied territory have been established for decades.<sup>51</sup> By 2004, in its *Wall Advisory Opinion*, the International Court of Justice (ICJ) placed the international community on notice of its obligations to end serious violations of peremptory norms of international law.<sup>52</sup> By 6 October 2023, Israel had long denied the Palestinian people's right to self-determination<sup>53</sup> through occupation, annexation and unlawful use of force,<sup>54</sup> maintaining control over Palestinian lives through a racially discriminatory and

<sup>43</sup> *Articles on Responsibility of States for Internationally Wrongful Acts*, Articles 16-18. [www.icc-cpi.int/news/situation-state-palestine-icc-pre-trial-chamber-i-rejects-state-israels-challenges](http://www.icc-cpi.int/news/situation-state-palestine-icc-pre-trial-chamber-i-rejects-state-israels-challenges).

<sup>44</sup> Miles Jackson, *Complicity in International Law* (Oxford, Oxford University Press, 2015) p. 160; *Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Serbia and Montenegro)*, Judgement, 6 February 2007, I.C.J. Reports 2007, see Declaration of Judge Bennouna, pp. 361-363; and Vladyslav Lanovoy, "Responsibility for Complicity in an Internationally Wrongful Act: Revisiting a Structural Norm" (2011) Paper Presented at the SHARES Conference "Foundations of Shared Responsibility in International Law", 17 and 18 November 2011, Amsterdam, pp. 24.

<sup>45</sup> *Articles on Responsibility of States for Internationally Wrongful Acts*, Article 15.

<sup>46</sup> *Ibid.*

<sup>47</sup> *Articles on Responsibility of States for Internationally Wrongful Acts (ARSIWA)*, Article 47; International Law Commission, *ARSIWA Commentary to Part One, Chapter IV*, p. 64, para 1-3; International Law Commission, *ARSIWA Commentary to Article 47*, p. 124, para 2; and *Draft articles on the responsibility of international organizations*, Article 48.

<sup>48</sup> International Criminal Tribunal for Yugoslavia, *Prosecutor v Krstić*, Case No. IT-98-33-T, 2 August 2001, para 642.

<sup>49</sup> Christian Dominicé, "Chapter 20: Attribution of Conduct to Multiple States and the Implication of a State in the Act of Another State", in James Crawford (ed.) et al., *The Law of International Responsibility: The Law of International Responsibility* (Oxford, Oxford University Press, 2010), pp. 282-283.

<sup>50</sup> Genocide Convention, Article III, *Articles on Responsibility of States for Internationally Wrongful Acts*, Articles 2, 15, A/79/384, paras. 76 and 77.

<sup>51</sup> *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*, Advisory Opinion, 9 July 2004, I.C.J. Reports 2004; A/HRC/50/21.

<sup>52</sup> *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*, Advisory Opinion, 9 July 2004, I.C.J. Reports 2004, paras. 142 and 159.

<sup>53</sup> A/RES/2535 (XXIV)A-C; A/RES/2649 (XXV); A/RES/3236 (XXIX); A/RES/43/177; A/RES/48/94; S/RES/2334; A/77/356; and A/RES/78/192.

<sup>54</sup> S/RES/478; A/RES/76/12; A/74/507; and <https://badil.org/phocadownloadpap/badil-new/publications/research/in-focus/EtzionBloc-IsraeliAnnexation.pdf>.

apartheid system.<sup>55</sup> The illegal blockade of Gaza,<sup>56</sup> compounded by regular military attacks involving war crimes and crimes against humanity,<sup>57</sup> had made the Gaza Strip “unliveable”,<sup>58</sup> priming the situation for genocide.<sup>59</sup>

14. In the last two years, Israeli crimes have dramatically escalated. By 20 October 2023, international law experts,<sup>60</sup> genocide scholars<sup>61</sup> and human rights organizations<sup>62</sup> had warned of impending genocide. On 26 January 2024, the ICJ confirmed the serious risk of genocide in Gaza, giving rise to States obligations to prevent it and to punish incitement, commission or complicity.<sup>63</sup> By May 2024, the Court had issued two further Provisional Measures orders<sup>64</sup> and made judicial comments in *Nicaragua v Germany*,<sup>65</sup> the ICC Prosecutor had sought arrest warrants for senior Israeli officials,<sup>66</sup> and Third States had “actual or constructive knowledge” of the ongoing international crimes they had failed to prevent, triggering a heightened responsibility to act.<sup>67</sup>

15. In July 2024, 20 years after its 2004 *Wall* Advisory Opinion, the ICJ determined the illegality of the continued presence of Israel in the oPt in its entirety and the obligation of Israel to withdraw totally, unconditionally and as rapidly as possible.<sup>68</sup> The UN General Assembly subsequently declared that the occupation must be dismantled by 18 September 2025.<sup>69</sup> Israel has failed to do so.

16. On 16 September 2025, the UN Commission of Inquiry concluded that Israel is committing genocide in the Gaza Strip, reaffirming the obligations of all States to prevent genocide, to cease committing and/or aiding and assisting genocide and punish those perpetrating and/or inciting genocide.<sup>70</sup>

<sup>55</sup> A/HRC/49/87, para. 52.

<sup>56</sup> A/68/502, paras. 7-16; A/HRC/25/40, paras. 24-30; A/HRC/40/CRP.2, paras 150-194; S/RES/1860; [https://mezan.org/uploads/upload\\_center/kLAkShfIAra2.pdf](https://mezan.org/uploads/upload_center/kLAkShfIAra2.pdf); [https://ccrjustice.org/sites/default/files/attach/2016/11/GAZA\\_percent20CLOSURE\\_percent20FOR\\_percent20ICC\\_percent20November\\_percent2022\\_percent202016.pdf](https://ccrjustice.org/sites/default/files/attach/2016/11/GAZA_percent20CLOSURE_percent20FOR_percent20ICC_percent20November_percent2022_percent202016.pdf); and [https://reliefweb.int/report/occupied-palestinian-territory/opt-gaza\\_percentC2\\_percentA0closure-not-another-year](https://reliefweb.int/report/occupied-palestinian-territory/opt-gaza_percentC2_percentA0closure-not-another-year).

<sup>57</sup> A/HRC/12/48, para. 1332-1335; A/HRC/40/CRP.2.

<sup>58</sup> A/HRC/37/75, para. 6.

<sup>59</sup> A/RES/37/123(D); Martin Shaw, *Palestine in an International Historical Perspective on Genocide*, vol. 9, No. 1, *Holy Land Studies* (2010), pp. 1-24; and Haider Eid, *Banging on the Walls of the Tank: Dispatches from Gaza* (Toronto, Between the Lines, 2025) pp 61-65.

<sup>60</sup> [www.un.org/unispal/document/gaza-un-experts-decry-bombing-of-hospitals-and-schools-as-crimes-against-humanity-call-for-prevention-of-genocide/](http://www.un.org/unispal/document/gaza-un-experts-decry-bombing-of-hospitals-and-schools-as-crimes-against-humanity-call-for-prevention-of-genocide/).

<sup>61</sup> <https://twailr.com/public-statement-scholars-warn-of-potential-genocide-in-gaza/>; and <https://jewishcurrents.org/a-textbook-case-of-genocide>.

<sup>62</sup> [www.alhaq.org/advocacy/21898.html](http://www.alhaq.org/advocacy/21898.html); [www.fidh.org/en/region/north-africa-middle-east/israel-palestine/mass-displacement-attempts-of-over-1-million-people-in-the-gaza-strip](http://www.fidh.org/en/region/north-africa-middle-east/israel-palestine/mass-displacement-attempts-of-over-1-million-people-in-the-gaza-strip); <https://ccrjustice.org/israel-s-unfolding-crime-genocide-palestinian-people-us-failure-prevent-and-complicity-genocide>.

<sup>63</sup> A/HRC/60/CRP.3, para 249.

<sup>64</sup> *Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip (South Africa v. Israel)*, Provisional Measures, Order, 26 January 2024, I.C.J Reports 2024, p.30, para. 86; and *Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip (South Africa v. Israel), Request for the Modification of the Order of 28 March 2024*, Order, 24 May 2024, I.C.J Reports 2024, para. 57.

<sup>65</sup> *Alleged Breaches of Certain International Obligations in respect of the Occupied Palestinian Territory (Nicaragua v. Germany)*, Order, 30 April 2024, I.C.J Reports 2024, para. 24.

<sup>66</sup> [www.icc-cpi.int/news/situation-state-palestine-icc-pre-trial-chamber-i-rejects-state-israels-challenges](http://www.icc-cpi.int/news/situation-state-palestine-icc-pre-trial-chamber-i-rejects-state-israels-challenges).

<sup>67</sup> *Articles on Responsibility of States for Internationally Wrongful Acts*, Article 16; *Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Serbia and Montenegro)*, Judgement, 6 February 2007, I.C.J Reports 2007, see Declaration of Judge Bennouna, p. 361; Marko Milanović, “State Responsibility for Genocide: A Follow-Up”, in *European Journal of International Law* (2007), vol. 18(4), pp. 669-694, p. 687

<sup>68</sup> *Legal Consequences Arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem*, Advisory Opinion, 19 July 2024, I.C.J Reports 2024, paras. 267-272 and 285.

<sup>69</sup> A/RES/ES-10/24.

<sup>70</sup> A/HRC/60/CRP.3, paras. 246-250.



17. These developments confirm the seriousness of the breaches of peremptory norms involved and the concomitant legal obligations on all States to act, with two implications for the assessment of Third State responsibility:

(a) Intersecting duties must be assessed holistically and create an imperative on all States to take measures, including those outlined in paragraph 8 in order to discharge their obligations.

(b) Under existing law,<sup>71</sup> the extent of Israel's unlawful actions renders any distinction between Israel and the oPt legally and practically impossible. According to the due diligence tests outlined in the 2024 Advisory Opinion,<sup>72</sup> if Israel itself is unwilling or unable to distinguish between its territory and the oPt, as is the case, Third States must presume indistinguishability, which requires a comprehensive boycott of Israel.

18. In the context of protracted aggression, denial of self-determination and heinous international crimes, there can be no reasonable doubt that States that maintain relations with Israel have knowledge of this. Decades of neglect by Third States and non-adherence to their obligations has created the conditions for their complicity in ongoing Israeli crimes. The following sections analyse Third States' violations holistically, examining the link between intersecting components of genocide and States' conduct.

## IV. Intersecting Components of the Gaza Genocide

### A. Genocide Under the Guise of Diplomatic and Political Actions

19. Prolonged political and diplomatic support by influential Third States has enabled Israel to initiate and sustain its assault on the Palestinian people. In the past two years, entrenched complicity, marked by narrative manipulations and reproduction of Israeli fabrications, have muted the urgent calls for action and obscured the web of political, financial and military interests at play. The longstanding failure to address egregious violations of international law by Israel – threatening international peace and security – has normalized and deepened relations with it, entrenching oppression, domination and erasure.

20. Following 7 October 2023, most Western leaders parroted Israeli narratives, disseminated by State and corporate media, repeating debunked claims and erasing core distinctions between combatants and civilians. Israelis were depicted as “civilians” and “hostages”, and Palestinians as “ Hamas terrorists”, “legitimate” or “collateral” targets, “human shields” or lawfully detained “prisoners”. Drawing on a long history of the “savage” denied protections of international law, revived by the War on Terror discourse,<sup>73</sup> Western States helped to justify the genocide against Palestinians. On 9 October 2023, immediately after Israel announced a tightened siege on Gaza, key Western leaders expressed support for the “self-defence” of Israel<sup>74</sup> – unwarranted under article 51 of the UN Charter.<sup>75</sup> President Biden repeatedly cited unsubstantiated reports of “beheaded babies”.<sup>76</sup> British opposition Leader Keir Starmer defended Israel's right to cut off water and power to civilians.<sup>77</sup>

21. This environment fuelled a ferocious Israeli assault. Even amidst urgent calls for a ceasefire, Western states, led by the United States, advocated only for humanitarian

<sup>71</sup> UNSC 2334, para. 5; ICJ Advisory Opinion 2024.

<sup>72</sup> [www.ohchr.org/en/statements-and-speeches/2024/09/un-experts-warn-international-order-knives-edge-urge-states-comply](https://www.ohchr.org/en/statements-and-speeches/2024/09/un-experts-warn-international-order-knives-edge-urge-states-comply); [www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/coi/2024-10-18-COI-position-paper\\_co-israel.pdf](https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/coi/2024-10-18-COI-position-paper_co-israel.pdf)

<sup>73</sup> Anghie, Antony. *Imperialism, Sovereignty and the Making of International Law*. Cambridge: Cambridge University Press, 2005.

<sup>74</sup> <https://it.usembassy.gov/joint-statement-on-israel/>; [www.theguardian.com/world/2023/oct/09/uk-us-and-allies-offer-israel-steadfast-support-in-joint-statement](https://www.theguardian.com/world/2023/oct/09/uk-us-and-allies-offer-israel-steadfast-support-in-joint-statement).

<sup>75</sup> UN Charter, Article 51.

<sup>76</sup> <https://bidenwhitehouse.archives.gov/briefing-room/speeches-remarks/2023/10/11/remarks-by-president-biden-and-second-gentleman-douglas-emhoff-at-roundtable-with-jewish-community-leaders/>; [www.washingtonpost.com/politics/2023/11/22/biden-yet-again-says-hamas-beheaded-babies-has-new-evidence-emerged](https://www.washingtonpost.com/politics/2023/11/22/biden-yet-again-says-hamas-beheaded-babies-has-new-evidence-emerged).

<sup>77</sup> [www.lbc.co.uk/article/sir-keir-starmer-hamas-terrorism-israel-defend-itself-DWzhBf\\_2/](https://www.lbc.co.uk/article/sir-keir-starmer-hamas-terrorism-israel-defend-itself-DWzhBf_2/).

“corridors”, “pauses” and “truces” – sidestepping a permanent ceasefire and ensuring a continuation of the violence.<sup>78</sup> States reverted to treating the situation as a humanitarian crisis to be managed, rather than resolved, by demanding that Israel end its unlawful occupation once and for all, providing further leeway to the assault on Gaza.

22. Post-October 2023, the United States used its veto power in the UN Security Council seven times,<sup>79</sup> controlling ceasefire negotiations and providing diplomatic cover for the Israeli genocide. The US has not acted alone. Abstentions, delays, watered-down draft resolutions and a simplistic rhetoric of “balance” reinforced the diplomatic protection and political narrative Israel required to continue the genocide. The United Kingdom maintained alignment with the US position until November 2024.<sup>80</sup> A bloc of Western states – Australia, New Zealand and Canada, sometimes joined by the UK, Germany or the Netherlands – appeared at times ready to pressurize Israel, such as in December 2023, when their statements added momentum for a ceasefire. Yet their introduction of the term “sustained ceasefire” produced a diluted UNSC resolution that delayed action.<sup>81</sup> In February 2024, they criticized the planned invasion of Rafah while simultaneously withdrawing United Nations Relief Works Agency (UNRWA) funding.<sup>82</sup> Such diplomacy created an illusion of progress while concrete actions were repeatedly stymied.<sup>83</sup>

23. Sanctions served a similar function. In 2024, Australia, Canada, the EU, New Zealand and the UK sanctioned some extremist settlers and organizations,<sup>84</sup> and in June 2025, Israeli Ministers Itamar Ben-Gvir and Bezalel Smotrich were sanctioned by Australia, Canada, Norway and the UK.<sup>85</sup> Yet such isolated actions effectively condone the Israeli state system and structures as a whole.

24. Arab and Muslim states have long supported the Palestinian cause. Three joint Arab-Islamic summits<sup>86</sup> and several extraordinary meetings on Palestine,<sup>87</sup> generated some collective efforts, including the Arab Plan.<sup>88</sup> Nevertheless, these actions have not been

<sup>78</sup> S/2023/772 (16 October 2023); S/2023/773 (18 October 2023); S/2023/S/792 (25 October 2023); S/RES/2712 (15 November 2023); [www.theguardian.com/world/2023/nov/05/ceasefire-or-humanitarian-pause-the-bitter-debate-on-the-best-route-to-peace](http://www.theguardian.com/world/2023/nov/05/ceasefire-or-humanitarian-pause-the-bitter-debate-on-the-best-route-to-peace)

<sup>79</sup> This includes S/2023/772 (16 October 2023).

<sup>80</sup> S/2024/835; [www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Vote\\_Middle\\_East\\_large-2.png](http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Vote_Middle_East_large-2.png).

<sup>81</sup> [www.pm.gc.ca/en/news/statements/2023/12/12/joint-statement-prime-ministers-australia-canada-and-new-zealand](http://www.pm.gc.ca/en/news/statements/2023/12/12/joint-statement-prime-ministers-australia-canada-and-new-zealand); see also A/RES/ES-10/22 (12 December 2023); S/2023/970 (8 December 2023); consider: S/RES/2720 (22 December 2023); [www.securitycouncilreport.org/whatsinblue/2023/12/the-middle-east-including-the-palestinian-question-vote-on-a-draft-resolution-2.php](http://www.securitycouncilreport.org/whatsinblue/2023/12/the-middle-east-including-the-palestinian-question-vote-on-a-draft-resolution-2.php)

<sup>82</sup> [www.pm.gov.au/media/joint-statement-prime-ministers-australia-canada-and-new-zealand-0](http://www.pm.gov.au/media/joint-statement-prime-ministers-australia-canada-and-new-zealand-0); [www.canada.ca/en/global-affairs/news/2024/01/statement-by-minister-hussen-on-allegations-against-staff-of-united-nations-relief-and-works-agency-for-palestine-refugees-in-the-near-east.html](http://www.canada.ca/en/global-affairs/news/2024/01/statement-by-minister-hussen-on-allegations-against-staff-of-united-nations-relief-and-works-agency-for-palestine-refugees-in-the-near-east.html); <https://x.com/SenatorWong/status/1751103658509644035>;

[www.rnz.co.nz/news/political/507907/no-more-aid-for-un-aid-agency-until-peters-satisfied-luxon](http://www.rnz.co.nz/news/political/507907/no-more-aid-for-un-aid-agency-until-peters-satisfied-luxon)

<sup>83</sup> [www.pm.gov.au/media/joint-statement-prime-ministers-australia-canada-and-new-zealand-0](http://www.pm.gov.au/media/joint-statement-prime-ministers-australia-canada-and-new-zealand-0).

<sup>84</sup> [www.gov.uk/government/news/uk-sanctions-extremist-settlers-in-the-west-bank](http://www.gov.uk/government/news/uk-sanctions-extremist-settlers-in-the-west-bank); [www.consilium.europa.eu/en/press/press-releases/2024/04/19/extremist-settlers-in-the-occupied-west-bank-and-east-jerusalem-council-sanctions-four-individuals-and-two-entities-over-serious-human-rights-abuses-against-palestinians/](http://www.consilium.europa.eu/en/press/press-releases/2024/04/19/extremist-settlers-in-the-occupied-west-bank-and-east-jerusalem-council-sanctions-four-individuals-and-two-entities-over-serious-human-rights-abuses-against-palestinians/); [www.international.gc.ca/world-monde/international\\_relations-relations\\_internationales/sanctions/esv-vec.aspx?lang=eng](http://www.international.gc.ca/world-monde/international_relations-relations_internationales/sanctions/esv-vec.aspx?lang=eng); [www.consilium.europa.eu/en/press/press-releases/2024/07/15/extremist-israeli-settlers-in-the-occupied-west-bank-and-east-jerusalem-as-well-as-violent-activists-blocking-humanitarian-aid-to-gaza-five-individuals-and-three-entities-sanctioned-under-the-eu-global-human-rights-sanctions-regime/](http://www.consilium.europa.eu/en/press/press-releases/2024/07/15/extremist-israeli-settlers-in-the-occupied-west-bank-and-east-jerusalem-as-well-as-violent-activists-blocking-humanitarian-aid-to-gaza-five-individuals-and-three-entities-sanctioned-under-the-eu-global-human-rights-sanctions-regime/); <https://www.foreignminister.gov.au/minister/penny-wong/transcript/sabra-lane-abc-am>

<sup>85</sup> [www.gov.uk/government/news/uk-and-partners-unite-to-sanction-ministers-inciting-west-bank-violence](http://www.gov.uk/government/news/uk-and-partners-unite-to-sanction-ministers-inciting-west-bank-violence).

<sup>86</sup> <https://new.oic-oci.org/sitepages/ConferenceDetailsCatgWiseEN.aspx?Item=12>.

<sup>87</sup> <https://new.oic-oci.org/sitepages/ConferenceDetailsCatgWiseEN.aspx?Item=14>; <https://una-oic.org/en/palestinians/2023/10/11/Council-of-the-League-of-Arab-States-at-the-A-level/>; [www.spa.gov.sa/en/N2034246](http://www.spa.gov.sa/en/N2034246).

<sup>88</sup> [www.un.org/unispal/document/cairo-statement-and-arab-plan-adopted-at-the-league-of-arab-states-summit-for-early-recovery-reconstruction-and-development-in-gaza-letter-from-bahrain-a-79-820-s-2025-151/](http://www.un.org/unispal/document/cairo-statement-and-arab-plan-adopted-at-the-league-of-arab-states-summit-for-early-recovery-reconstruction-and-development-in-gaza-letter-from-bahrain-a-79-820-s-2025-151/)

decisive, even amid Israeli aggression against six Arab States, reflecting the complexity of regional geopolitics. Normalization through the US-brokered Abraham Accords has also shifted economic incentives. Open sources report that influential States in the region facilitated land routes to Israel, bypassing the Red Sea.<sup>89</sup> While Qatar and Egypt sought to broker ceasefire agreements, Qatar hosts the largest US military base in the region, and Egypt maintained significant security and economic relations with Israel,<sup>90</sup> including energy cooperation<sup>91</sup> and the closing of the Rafah crossing.<sup>92</sup>

25. Certain non-Western States have turned to international courts to seek accountability and pressurize Israel to cease its actions. While only 13 States have supported South Africa before the ICJ, most Western States have persistently denied genocide.<sup>93</sup> None have joined Nicaragua against Germany at the ICJ, or invoked domestic laws against complicit corporations or individuals. Only seven referred the situation to the ICC,<sup>94</sup> many sought to undermine its arrest warrants,<sup>95</sup> and at least 37 States were non-committal or critical, signalling intent to evade arrest obligations.<sup>96</sup> The United States imposed sanctions to paralyse the Court;<sup>97</sup> the United Kingdom threatened its funding,<sup>98</sup> while Prime Minister Netanyahu travelled freely across European airspace,<sup>99</sup> even visiting Hungary, which withdrew from the Court in April 2025.<sup>100</sup>

26. Israel has been sheltered from accountability in courts as well as in global fora, with institutions preventing its deserved expulsion both from sports (e.g., Paris Olympics, FIFA World Cup qualifiers, FIBA, Davis Cup) and cultural events (Eurovision, Venice Biennale).<sup>101</sup>

27. The ICJ's groundbreaking ruling on the illegality of the occupation has yet to bring change. On 18 September 2024, the UN General Assembly adopted resolution ES-10/24, reaffirming the binding nature of the Court's legal obligations<sup>102</sup> and formulating a roadmap to end the occupation by 17 September 2025 through diplomatic, economic and legal measures which states have yet to implement.

28. The Saudi–French Two-State Solution Conference of September 2025 led to ten new States recognizing the State of Palestine.<sup>103</sup> While an important step, these tardy recognitions

<sup>89</sup> [www.ynetnews.com/article/hkxcieckt](http://www.ynetnews.com/article/hkxcieckt); [www.timesofisrael.com/houthi-bypass-quietly-goods-forge-overland-path-to-israel-via-saudi-arabia-jordan/](http://www.timesofisrael.com/houthi-bypass-quietly-goods-forge-overland-path-to-israel-via-saudi-arabia-jordan/)

<sup>90</sup> [www.palestinedeepdive.com/p/revealed-trump-is-using-egyptian](http://www.palestinedeepdive.com/p/revealed-trump-is-using-egyptian)

<sup>91</sup> [www.reuters.com/business/energy/israels-leviathan-signs-35-billion-natural-gas-supply-deal-with-egypt-2025-08-07/](http://www.reuters.com/business/energy/israels-leviathan-signs-35-billion-natural-gas-supply-deal-with-egypt-2025-08-07/)

<sup>92</sup> [www.nytimes.com/2024/06/20/world/middleeast/palestinians-gaza-gofundme-egypt.html](http://www.nytimes.com/2024/06/20/world/middleeast/palestinians-gaza-gofundme-egypt.html);

[www.nytimes.com/2024/07/19/world/middleeast/rafah-palestinians-gaza-trapped.html](http://www.nytimes.com/2024/07/19/world/middleeast/rafah-palestinians-gaza-trapped.html).

<sup>93</sup> [www.icj-cij.org/case/192/intervention](http://www.icj-cij.org/case/192/intervention);

<https://committees.parliament.uk/publications/49215/documents/262248/default/>.

<sup>94</sup> [www.icc-cpi.int/sites/default/files/2023-11/ICC-Referral-Palestine-Final-17-November-2023.pdf](http://www.icc-cpi.int/sites/default/files/2023-11/ICC-Referral-Palestine-Final-17-November-2023.pdf);

[www.icc-cpi.int/sites/default/files/2024-01/2024-01-18-Referral\\_Chile\\_Mexico.pdf](http://www.icc-cpi.int/sites/default/files/2024-01/2024-01-18-Referral_Chile_Mexico.pdf).

<sup>95</sup> [www.icc-cpi.int/palestine](http://www.icc-cpi.int/palestine).

<sup>96</sup> Rome Statute of the International Criminal Court, art. 89; [www.justsecurity.org/105064/arrest-warrants-state-reactions-icc/](http://www.justsecurity.org/105064/arrest-warrants-state-reactions-icc/); <https://verfassungsblog.de/exception-to-icc-jurisdiction/>.

<sup>97</sup> [www.state.gov/releases/office-of-the-spokesperson/2025/08/imposing-further-sanctions-in-response-to-the-iccs-ongoing-threat-to-americans-and-israelis/](http://www.state.gov/releases/office-of-the-spokesperson/2025/08/imposing-further-sanctions-in-response-to-the-iccs-ongoing-threat-to-americans-and-israelis/); [www.state.gov/imposing-sanctions-in-response-to-the-iccs-illegitimate-actions-targeting-the-united-states-and-israel](http://www.state.gov/imposing-sanctions-in-response-to-the-iccs-illegitimate-actions-targeting-the-united-states-and-israel);

[www.state.gov/releases/2025/07/sanctioning-lawfare-that-targets-u-s-and-israeli-persons](http://www.state.gov/releases/2025/07/sanctioning-lawfare-that-targets-u-s-and-israeli-persons);

[www.state.gov/releases/2025/09/sanctioning-foreign-ngos-directly-engaged-in-iccs-illegitimate-targeting-of-israel](http://www.state.gov/releases/2025/09/sanctioning-foreign-ngos-directly-engaged-in-iccs-illegitimate-targeting-of-israel).

<sup>98</sup> [www.middleeasteye.net/news/david-cameron-threatened-withdraw-uk-icc-over-israel-war-crimes-probe](http://www.middleeasteye.net/news/david-cameron-threatened-withdraw-uk-icc-over-israel-war-crimes-probe)

<sup>99</sup> [www.middleeasteye.net/news/france-criticised-allowing-netanyahus-plane-use-its-airspace](http://www.middleeasteye.net/news/france-criticised-allowing-netanyahus-plane-use-its-airspace);

[https://x.com/Clemence\\_Guette/status/1909592352714309975](https://x.com/Clemence_Guette/status/1909592352714309975);

[www.timesofisrael.com/liveblog\\_entry/french-official-says-france-gave-netanyahu-permission-to-use-its-airspace-despite-icc-warrant/](http://www.timesofisrael.com/liveblog_entry/french-official-says-france-gave-netanyahu-permission-to-use-its-airspace-despite-icc-warrant/).

<sup>100</sup> [https://x.com/PM\\_ViktorOrban/status/1859905807577726996](https://x.com/PM_ViktorOrban/status/1859905807577726996); [www.icc-cpi.int/news/presidency-assembly-states-parties-responds-announcement-withdrawal-rome-statute-hungary](http://www.icc-cpi.int/news/presidency-assembly-states-parties-responds-announcement-withdrawal-rome-statute-hungary).

<sup>101</sup> [www.ohchr.org/en/press-releases/2025/09/un-experts-call-suspension-israel-international-football-amid-unfolding](http://www.ohchr.org/en/press-releases/2025/09/un-experts-call-suspension-israel-international-football-amid-unfolding)

<sup>102</sup> A/RES/ES-10/24, paras.1-2.

<sup>103</sup> [www.un.org/unispal/high-level-conference-two-state-solution-july2025/](http://www.un.org/unispal/high-level-conference-two-state-solution-july2025/).

have so far remained symbolic, with no tangible effect in addressing the ongoing genocide. Overall, 20 new states have issued recognitions of the State of Palestine since October 2023, but with restrictive conditions (e.g., concerning governance, territorial integrity, political independence and demilitarization) incompatible with the very essence of self-determination,<sup>104</sup> effectively reproducing forms of colonial tutelage.

29. Since October 2023, only Belize, Bolivia, Colombia and Nicaragua have suspended diplomatic relations with Israel, and only six States – Bahrain, Chad, Chile, Honduras, Jordan, Türkiye and South Africa – have downgraded their relations with Israel<sup>105</sup>.

30. The most notable effort has come from the Hague Group initiative launched in January 2025.<sup>106</sup> Led by Colombia and South Africa, 13 States of the Global Majority have committed to enforce six concrete measures against Israel.<sup>107</sup> Twenty-one other States joined the third meeting of the Group in New York on the sidelines of the 80th Session of the General Assembly.<sup>108</sup> Despite the efforts of some of its members,<sup>109</sup> Israel still holds its UN credentials.

31. On 30 September 2025, many States, including Egypt, Indonesia, Jordan, Pakistan, Qatar, Saudi Arabia, Türkiye and the UAE, endorsed the “Trump Plan”,<sup>110</sup> despite its silence on ending the occupation, ensuring accountability, providing transitional justice and its imposition of a temporary mechanism of imperial foreign governance for Gaza that further undermines, rather than realizes, Palestinian self-determination.<sup>111</sup>

## B. Military Ties: providing the means of destruction

32. While UN resolutions have called for arms embargoes on Israel since 1976,<sup>112</sup> many States have continued supplying it with military support and arms transfers. Israel is disproportionately dependent on weapons imports, with the proportion of their total trade more than double the OECD average, and over four times greater than that of the United States.<sup>113</sup> This international supply has continued, even as the evidence of genocide has mounted,<sup>114</sup> with the United States, Germany and Italy among the largest suppliers.<sup>115</sup> Only

<sup>104</sup> [www.gov.uk/government/news/uk-formally-recognises-palestinian-state#:~:text=Foreign%20Secretary%20Yvette%20Cooper%20said,Palestinian%20people%20to%20self%20determination;www.foreignminister.gov.au/minister/penny-wong/media-release/australia-recognises-state-palestine#:~:text=Effective%20today%2C%20Sunday%20the%2021st,a%20state%20of%20their%20own;www.international.gc.ca/world-monde/international\\_relations-relations\\_internationales/mena-moan/israeli-palestinian\\_policy-politique\\_israelo-palestinien.aspx?lang=eng](https://www.gov.uk/government/news/uk-formally-recognises-palestinian-state#:~:text=Foreign%20Secretary%20Yvette%20Cooper%20said,Palestinian%20people%20to%20self%20determination;www.foreignminister.gov.au/minister/penny-wong/media-release/australia-recognises-state-palestine#:~:text=Effective%20today%2C%20Sunday%20the%2021st,a%20state%20of%20their%20own;www.international.gc.ca/world-monde/international_relations-relations_internationales/mena-moan/israeli-palestinian_policy-politique_israelo-palestinien.aspx?lang=eng).

<sup>105</sup> [www.axios.com/2023/11/16/israel-gaza-war-countries-against-cease-fire-diplomats](https://www.axios.com/2023/11/16/israel-gaza-war-countries-against-cease-fire-diplomats).

<sup>106</sup> <https://thehaguegroup.org/meetings-hague-en/>.

<sup>107</sup> <https://thehaguegroup.org/meetings-bogota-en;> <https://dirco.gov.za/wp-content/uploads/2025/07/Bogota%E2%80%94THG%E2%80%94emergency%E2%80%93conference%E2%80%93statement.pdf>.

<sup>108</sup> [www.middleeasteye.net/news/states-meet-netanyahu-un-speech-weigh-action-israel;](https://www.middleeasteye.net/news/states-meet-netanyahu-un-speech-weigh-action-israel;) <https://thehaguegroup.org/meetings-ny-en/>.

<sup>109</sup> A/79/588

<sup>110</sup> <https://mofa.gov.pk/press-releases/joint-statement-by-the-foreign-ministers-of-jordan-united-arab-emirates-indonesia-pakistan-turkiye-saudi-arabia-qatar-and-egypt>.

<sup>111</sup> [www.ohchr.org/en/press-releases/2025/10/palestine-any-peace-plan-must-respect-international-law-beginning-self](https://www.ohchr.org/en/press-releases/2025/10/palestine-any-peace-plan-must-respect-international-law-beginning-self).

<sup>112</sup> A/RES/31/61 Article 5, A/RES/ES-9/1 Article 12(a) and (b), A/HRC/55/L.30, p.5.

<sup>113</sup> Countries ranked based on index of weapons trade relative to total trade (in current \$). Data for weapons' import from SIPRI available at [www.sipri.org/databases](https://www.sipri.org/databases); trade data taken from the World Bank at <https://data.worldbank.org/indicator/NE.TRD.GNFS.ZS>.

<sup>114</sup> *Alleged Breaches of Certain International Obligations in respect of the Occupied Palestinian Territory (Nicaragua v. Germany)*, Order, 30 April 2024, I.C.J. Reports 2024, para. 24.

<sup>115</sup> [www.sipri.org/commentary/topical-backgrounder/2025/how-top-arms-exporters-have-responded-war-gaza-2025-update](https://www.sipri.org/commentary/topical-backgrounder/2025/how-top-arms-exporters-have-responded-war-gaza-2025-update).

a few Western States, notably Spain<sup>116</sup> and Slovenia, have cancelled contracts and imposed embargoes.<sup>117</sup>

33. The United States has financially and militarily supported Israel since its creation.<sup>118</sup> Following the 1967 war, Israel became the leading recipient of US Foreign Military Financing (FMF).<sup>119</sup> The 60-year strategic partnership between the United States and Israel has been underpinned by a legislated commitment to Israeli “Qualitative Military Edge”,<sup>120</sup> almost 30 years of agreements ensuring Israeli–US military cooperation,<sup>121</sup> a steady supply of military and economic aid to Israel<sup>122</sup> and preferential access to US military sales.<sup>123</sup> The third US–Israel MOU, effective until 2028, guarantees \$3.3 billion/year in FMF plus \$500 million/year for missile defence.<sup>124</sup> The US has supplied arms to Israel through military sales – the US accounts for two-thirds of annual Israeli arms imports<sup>125</sup> – and through access to the US weapons stockpile (WRSA-I) in Israel.<sup>126</sup> Israel also has special permission to use FMF to purchase Israeli-made weapons.<sup>127</sup> Meanwhile Israeli purchase of F-15, F-16 and F-35 fighter jets<sup>128</sup> and munitions<sup>129</sup> is supported by access to procurement funds to Israeli subsidiaries in the US.<sup>130</sup>

34. US political, diplomatic, military and strategic support to Israel has escalated after 7 October 2023. Senior US politicians and military officials engaged in unprecedented travel to Israel, including for operational discussions on Israeli military conduct in Gaza.<sup>131</sup> On 20 October 2023, the Biden Administration announced it would request an additional \$14.3

<sup>116</sup> <https://contrataciondelestado.es/FileSystem/servlet/GetDocumentByIdServlet?DocumentIdParam=2025-d5fa890a-803a-4551-bb35-41df97283b37>

<sup>117</sup> [www.gov.si/en/news/2025-07-31-the-government-instructs-the-ministry-of-defence-to-strictly-enforce-controls-on-arms-trade-with-israel/](http://www.gov.si/en/news/2025-07-31-the-government-instructs-the-ministry-of-defence-to-strictly-enforce-controls-on-arms-trade-with-israel/)

<sup>118</sup> [www.everycrsreport.com/files/20070425\\_RL33222\\_ee97f8a100b2abd96b43a0f4d0cc6848e74efb26.pdf](http://www.everycrsreport.com/files/20070425_RL33222_ee97f8a100b2abd96b43a0f4d0cc6848e74efb26.pdf)

<sup>119</sup> [www.congress.gov/crs\\_external\\_products/RL/PDF/RL33222/RL33222.53.pdf](http://www.congress.gov/crs_external_products/RL/PDF/RL33222/RL33222.53.pdf).

<sup>120</sup> [www.congress.gov/bill/110th-congress/house-bill/7177](http://www.congress.gov/bill/110th-congress/house-bill/7177); [www.congress.gov/112/statute/STATUTE-126/STATUTE-126-Pg1146.pdf](http://www.congress.gov/112/statute/STATUTE-126/STATUTE-126-Pg1146.pdf).

<sup>121</sup> <https://sgp.fas.org/crs/mideast/RL33222.pdf>, pp. 7-9.

<sup>122</sup> Ibid. <https://sgp.fas.org/crs/mideast/RL33222.pdf>.

<sup>123</sup> [www.congress.gov/crs-product/RL31675](http://www.congress.gov/crs-product/RL31675); <https://www.state.gov/major-non-nato-ally-status>.

<sup>124</sup> <https://obamawhitehouse.archives.gov/the-press-office/2016/09/14/fact-sheet-memorandum-understanding-reached-israel>.

<sup>125</sup> [www.sipri.org/sites/default/files/2025-03/fs\\_2503\\_at\\_2024\\_0.pdf](http://www.sipri.org/sites/default/files/2025-03/fs_2503_at_2024_0.pdf), p.11.

<sup>126</sup> [www.congress.gov/crs\\_external\\_products/RL/PDF/RL33222/RL33222.51.pdf](http://www.congress.gov/crs_external_products/RL/PDF/RL33222/RL33222.51.pdf) pp. 44-47; [www.justsecurity.org/91213/the-war-reserve-stockpile-allies-israel-explained-why-congress-should-not-expand-it/](http://www.justsecurity.org/91213/the-war-reserve-stockpile-allies-israel-explained-why-congress-should-not-expand-it/).

<sup>127</sup> <https://www.state.gov/u-s-security-cooperation-with-israel>; [https://costsofwar.watson.brown.edu/sites/default/files/2025-10/U.S.-Military-Aid-to-Israel\\_Hartung\\_Costs-of-War-Quincy\\_Oct-7-2025.pdf](https://costsofwar.watson.brown.edu/sites/default/files/2025-10/U.S.-Military-Aid-to-Israel_Hartung_Costs-of-War-Quincy_Oct-7-2025.pdf), pp. 2-4

<sup>128</sup> Ibid. [www.congress.gov/crs\\_external\\_products/RL/PDF/RL33222/RL33222.53.pdf](http://www.congress.gov/crs_external_products/RL/PDF/RL33222/RL33222.53.pdf), pp. 26-28; [https://costsofwar.watson.brown.edu/sites/default/files/2025-10/U.S.-Military-Aid-to-Israel\\_Hartung\\_Costs-of-War-Quincy\\_Oct-7-2025.pdf](https://costsofwar.watson.brown.edu/sites/default/files/2025-10/U.S.-Military-Aid-to-Israel_Hartung_Costs-of-War-Quincy_Oct-7-2025.pdf), pp. 5.

<sup>129</sup> [www.washingtonpost.com/world/2025/01/12/israel-weapons-bombs-trump-united-states/](http://www.washingtonpost.com/world/2025/01/12/israel-weapons-bombs-trump-united-states/).

<sup>130</sup> [www.congress.gov/crs\\_external\\_products/RL/PDF/RL33222/RL33222.53.pdf](http://www.congress.gov/crs_external_products/RL/PDF/RL33222/RL33222.53.pdf), pp. 15.

<sup>131</sup> Including the US President, Secretary for Defense, Secretary of State, CIA Director, Chairman of the Joint Chiefs of Staff, National Security Advisor and CENTCOM Commander: [www.war.gov/News/Releases/Release/Article/3556227/secretary-of-defense-travels-to-tel-aviv-to-show-support-for-the-people-of-israel/](http://www.war.gov/News/Releases/Release/Article/3556227/secretary-of-defense-travels-to-tel-aviv-to-show-support-for-the-people-of-israel/); <https://www.war.gov/News/Releases/Release/Article/3621153/readout-of-secretary-of-defense-lloyd-j-austin-iiis-visit-to-israel/>; <https://bidenwhitehouse.archives.gov/briefing-room/speeches-remarks/2023/10/18/remarks-by-president-biden-and-prime-minister-netanyahu-of-israel-before-bilateral-meeting-tel-aviv-israel/>; <https://history.state.gov/departmenthistory/travels/secretary/israel>; [www.state.gov/secretary-rubios-countries-visited-and-mileage/](http://www.state.gov/secretary-rubios-countries-visited-and-mileage/); [www.nytimes.com/2023/11/05/us/politics/william-burns-israel-middle-east-trip.html](http://www.nytimes.com/2023/11/05/us/politics/william-burns-israel-middle-east-trip.html); [www.war.gov/News/News-Stories/Article/Article/3886976/brown-visits-israel-despite-increased-hostilities-in-region/](http://www.war.gov/News/News-Stories/Article/Article/3886976/brown-visits-israel-despite-increased-hostilities-in-region/); [www.presidency.ucsb.edu/documents/press-conference-national-security-advisor-jake-sullivan-tel-aviv-israel](http://www.presidency.ucsb.edu/documents/press-conference-national-security-advisor-jake-sullivan-tel-aviv-israel); [www.centcom.mil/MEDIA/PRESS-RELEASES/Press-Release-View/Article/4235270/uscentcom-commander-conducts-middle-east-trip-to-visit-us-service-members-and-s/](http://www.centcom.mil/MEDIA/PRESS-RELEASES/Press-Release-View/Article/4235270/uscentcom-commander-conducts-middle-east-trip-to-visit-us-service-members-and-s/)

billion for Israel.<sup>132</sup> In April 2024, this passed Congress as a \$26.4 billion package for Israeli defence<sup>133</sup> just as Israel threatened the Rafah invasion, previously a stated (but subsequently denied) “red line” for President Biden.<sup>134</sup> Israel was later exempted from the Trump Administration freeze on military aid.<sup>135</sup>

35. Since October 2023, the US has transferred 742 consignments of “arms and ammunition” (HS Code 93)<sup>136</sup> and approved tens of billions in new sales.<sup>137</sup> The Biden and Trump Administrations reduced transparency,<sup>138</sup> accelerated transfers through repeated emergency approvals,<sup>139</sup> facilitated Israeli access to US weapons stockpile held abroad<sup>140</sup> and authorized hundreds of sales just below the amount requiring congressional approval.<sup>141</sup> The US has deployed military aircraft,<sup>142</sup> special forces<sup>143</sup> and surveillance drones<sup>144</sup> to Israel, with US surveillance purportedly being used to target Hamas, including in the first raid on Al Shifa hospital.<sup>145</sup>

36. By September 2024, the US had reportedly supplied 57,000 artillery shells,<sup>146</sup> 36,000 rounds of cannon ammunition, 20,000 M4A1 rifles, 13,981 anti-tank missiles and 8,700 MK-82 500lb bombs.<sup>147</sup> By April 2025, Israel had 751 active sales valued at \$39.2 billion.<sup>148</sup> Both the Biden and Trump Administrations have enabled this constant flow of weapons, except for a short pause in the delivery of 500lb and 2000lb bombs on the eve of the Israeli attack on Rafah in May 2024, which lasted until July 2024 for 500lb bombs<sup>149</sup> and until January 2025 for 2000lb bombs.<sup>150</sup>

<sup>132</sup> [www.congress.gov/crs\\_external\\_products/RL/PDF/RL33222/RL33222.53.pdf](https://www.congress.gov/crs_external_products/RL/PDF/RL33222/RL33222.53.pdf) p.3; <https://bidenwhitehouse.archives.gov/briefing-room/statements-releases/2023/10/20/fact-sheet-white-house-calls-on-congress-to-advance-critical-national-security-priorities/>.

<sup>133</sup> [www.congress.gov/118/plaws/publ50/PLAW-118publ50.pdf](https://www.congress.gov/118/plaws/publ50/PLAW-118publ50.pdf), pp. 2-10; [https://docs.house.gov/billsthisweek/20240415/APRIL2024\\_ISRAEL\\_xml.pdf](https://docs.house.gov/billsthisweek/20240415/APRIL2024_ISRAEL_xml.pdf), pp. 2, 5-6.

<sup>134</sup> <https://www.theguardian.com/us-news/article/2024/may/07/biden-israel-palestine-policy>

<sup>135</sup> [www.congress.gov/crs\\_external\\_products/RL/PDF/RL33222/RL33222.53.pdf](https://www.congress.gov/crs_external_products/RL/PDF/RL33222/RL33222.53.pdf), pp.10.

<sup>136</sup> [https://data.gov.il/dataset/customs\\_import\\_statistics\\_data](https://data.gov.il/dataset/customs_import_statistics_data); [www.middleeastmonitor.com/20250527-israel-receives-940-us-arms-shipments-since-gaza-war-defense-ministry/](https://www.middleeastmonitor.com/20250527-israel-receives-940-us-arms-shipments-since-gaza-war-defense-ministry/).

<sup>137</sup> [https://search.usa.gov/search?query=Israel&affiliate=dod\\_dsca&utf8=%26%23x2713%3B](https://search.usa.gov/search?query=Israel&affiliate=dod_dsca&utf8=%26%23x2713%3B).

<sup>138</sup> [www.congress.gov/crs\\_external\\_products/RL/PDF/RL33222/RL33222.53.pdf](https://www.congress.gov/crs_external_products/RL/PDF/RL33222/RL33222.53.pdf), p. 2.; <https://truthout.org/articles/bill-would-allow-unlimited-us-weapons-transfers-to-israel-with-little-oversight/>.

<sup>139</sup> [https://www.congress.gov/crs\\_external\\_products/RL/PDF/RL33222/RL33222.53.pdf](https://www.congress.gov/crs_external_products/RL/PDF/RL33222/RL33222.53.pdf), p.4.; [www.state.gov/military-assistance-to-israel](https://www.state.gov/military-assistance-to-israel)

<sup>140</sup> <https://appropriations.house.gov/news/press-releases/house-passes-series-security-supplemental-bills>; [https://docs.house.gov/billsthisweek/20240415/APRIL2024\\_ISRAEL\\_xml.pdf](https://docs.house.gov/billsthisweek/20240415/APRIL2024_ISRAEL_xml.pdf), p.2; <https://truthout.org/articles/bill-would-allow-unlimited-us-weapons-transfers-to-israel-with-little-oversight/>.

<sup>141</sup> [www.washingtonpost.com/national-security/2024/03/06/us-weapons-israel-gaza/](https://www.washingtonpost.com/national-security/2024/03/06/us-weapons-israel-gaza/); [https://watson.brown.edu/costsofwar/files/cow/imce/papers/2023/2024/Costs%20of%20War\\_US%20Support%20Since%20Oct%207%20FINAL%20v2.pdf](https://watson.brown.edu/costsofwar/files/cow/imce/papers/2023/2024/Costs%20of%20War_US%20Support%20Since%20Oct%207%20FINAL%20v2.pdf), p.2; [www.congress.gov/crs\\_external\\_products/R/PDF/R48289/R48289.6.pdf](https://www.congress.gov/crs_external_products/R/PDF/R48289/R48289.6.pdf).

<sup>142</sup> [www.haaretz.com/israel-news/security-aviation/2023-10-24/ty-article/u-s-deploys-more-arms-and-troops-to-israel-cyprus-and-jordan/0000018b-5cbf-d307-adbb-7dbf1aa80000](https://www.haaretz.com/israel-news/security-aviation/2023-10-24/ty-article/u-s-deploys-more-arms-and-troops-to-israel-cyprus-and-jordan/0000018b-5cbf-d307-adbb-7dbf1aa80000).

<sup>143</sup> [www.timesofisrael.com/us-special-forces-said-deployed-to-help-israel-track-down-hostages-held-in-gaza/](https://www.timesofisrael.com/us-special-forces-said-deployed-to-help-israel-track-down-hostages-held-in-gaza/).

<sup>144</sup> [www.nytimes.com/2023/11/02/world/middleeast/israel-hamas-gaza-hostages-us.html](https://www.nytimes.com/2023/11/02/world/middleeast/israel-hamas-gaza-hostages-us.html).

<sup>145</sup> [www.cbsnews.com/news/mike-turner-house-intelligence-committee-chair-face-the-nation-transcript-12-03-2023/](https://www.cbsnews.com/news/mike-turner-house-intelligence-committee-chair-face-the-nation-transcript-12-03-2023/); [www.wsj.com/world/middle-east/u-s-relied-on-intercepts-in-assessing-hamass-operations-at-gaza-hospital-0d99e623](https://www.wsj.com/world/middle-east/u-s-relied-on-intercepts-in-assessing-hamass-operations-at-gaza-hospital-0d99e623).

<sup>146</sup> <https://media.defense.gov/2024/Dec/11/2003606409/-1/-1/0/PRESS%20RELEASE%20-%20ISRAEL%2024-16%20CN.PDF>;

<sup>147</sup> [https://watson.brown.edu/costsofwar/files/cow/imce/papers/2023/2024/Costs%20of%20War\\_US%20Support%20Since%20Oct%207%20FINAL%20v2.pdf](https://watson.brown.edu/costsofwar/files/cow/imce/papers/2023/2024/Costs%20of%20War_US%20Support%20Since%20Oct%207%20FINAL%20v2.pdf) p.2.

<sup>148</sup> [www.state.gov/u-s-security-cooperation-with-israel](https://www.state.gov/u-s-security-cooperation-with-israel).

<sup>149</sup> [www.wsj.com/world/middle-east/biden-administration-agrees-to-ship-500-pound-bombs-to-israel-c7e0bb3b](https://www.wsj.com/world/middle-east/biden-administration-agrees-to-ship-500-pound-bombs-to-israel-c7e0bb3b).

<sup>150</sup> [www.war.gov/News/News-Stories/Article/Article/4055486/us-dods-commitment-to-israel-includes-munitions-previously-withheld/](https://www.war.gov/News/News-Stories/Article/Article/4055486/us-dods-commitment-to-israel-includes-munitions-previously-withheld/).

37. Germany has been the second-largest arms exporter to Israel during the genocide,<sup>151</sup> with supplies ranging from frigates to torpedoes.<sup>152</sup> German leaders have justified this support based on its perceived post-Holocaust obligations to Israel.<sup>153</sup> In addition to suspending ethical and legal assessments of the Israeli occupation,<sup>154</sup> from October 2023 to July 2025, Germany issued individual export licences worth €489 million<sup>155</sup> – 15 percent of all licences to Israel in 22 years.<sup>156</sup> This does not include any arms transferred under collective licences or on a government-to-government basis.<sup>157</sup> Although Chancellor Merz temporarily suspended *future* export approvals in August 2025, €2.46 million in exports were approved a month later.<sup>158</sup>

38. The United Kingdom has also played a key role in military collaboration with Israel,<sup>159</sup> despite internal opposition.<sup>160</sup> From its bases in Cyprus, the UK has enabled a crucial US supply line to Tel Aviv<sup>161</sup> and flown over 600 surveillance missions over Gaza throughout the genocide,<sup>162</sup> sharing intelligence with Israel.<sup>163</sup> Flight numbers and durations, often coinciding with major Israeli operations,<sup>164</sup> suggest detailed knowledge and cooperation in the destruction of Gaza, extending beyond “hostage rescue”.<sup>165</sup>

39. Other States have supplied parts, components and weapons to Israel through an opaque system that obscures transfers, including ‘dual use’ and indirect transfers. Between October 2023 and October 2025, 26 States sent at least 10 consignments of “arms and ammunition” (HS Code 93) to Israel,<sup>166</sup> the most frequent being China, including Taiwan, India, Italy, Austria, Spain, Czechia, Romania and France. Military aircraft, land vehicles, drones, dogs<sup>167</sup> and dual-use items such as integrated circuits are harder to track.

40. States also engage in indirect transfers by supplying components for arms used by Israel. The F-35 stealth strike fighter programme, key to the Israeli military assault in Gaza, involves 19 States – Australia, Belgium, Canada, Czech Republic, Denmark, Finland, Germany, Greece, Italy, Japan, Netherlands, Norway, Poland, South Korea, Romania, Singapore, Switzerland, the United Kingdom and the United States – supplying components and parts to Israel. Seventeen of them have ratified the Arms Trade Treaty. Despite litigation

<sup>151</sup> [www.un.org/unispal/document/verbatim-records-icj-09apr24/](http://www.un.org/unispal/document/verbatim-records-icj-09apr24/)

<sup>152</sup> [www.sipri.org/sites/default/files/2025-03/fs\\_2503\\_at\\_2024\\_0.pdf](http://www.sipri.org/sites/default/files/2025-03/fs_2503_at_2024_0.pdf); <https://content.forensic-architecture.org/wp-content/uploads/2023/04/Forensis-Report-German-Arms-Exports-to-Israel-2003-2023.pdf>.

<sup>153</sup> Submission to OHCHR; and [https://www.idos-research.de/fileadmin/migratedNewsAssets/Files/German\\_Institute\\_of\\_Development\\_and\\_Sustainability\\_EN\\_Furness\\_Baumann\\_30.04.2024.pdf](https://www.idos-research.de/fileadmin/migratedNewsAssets/Files/German_Institute_of_Development_and_Sustainability_EN_Furness_Baumann_30.04.2024.pdf)

<sup>154</sup> Enzo Traverso, *Gaza Faces History* (New York, Other Press, 2024).

<sup>155</sup> <https://dsrver.bundestag.de/btd/21/004/2100469.pdf>, pp. 66.

<sup>156</sup> <https://content.forensic-architecture.org/wp-content/uploads/2023/04/Forensis-Report-German-Arms-Exports-to-Israel-2003-2023.pdf>, pp. 4.

<sup>157</sup> Submission to OHCHR.

<sup>158</sup> [www.bundesregierung.de/breg-de/aktuelles/regierungspressekonferenz-vom-10-september-2025-2383822](http://www.bundesregierung.de/breg-de/aktuelles/regierungspressekonferenz-vom-10-september-2025-2383822); [www.haaretz.com/israel-news/2025-10-01/ty-article/germany-approves-2-46-million-euros-in-arms-exports-to-israel-after-partial-halt/00000199-9ecf-ddb4-abdd-ffffa4ea0000](http://www.haaretz.com/israel-news/2025-10-01/ty-article/germany-approves-2-46-million-euros-in-arms-exports-to-israel-after-partial-halt/00000199-9ecf-ddb4-abdd-ffffa4ea0000).

<sup>159</sup> [www.declassifieduk.org/britains-secret-defence-plan-with-israel/](http://www.declassifieduk.org/britains-secret-defence-plan-with-israel/)

<sup>160</sup> <https://hansard.parliament.uk/commons/2025-03-17/debates/2085400B-DCEF-4726-8039-4DCAD6FAC871/G7#contribution-9ED06F95-9B0C-471C-8FEF-13FFE20B5DC4>; <https://glanlaw.org/news/uk-admits-in-court-that-israel-is-not-committed-to-complying-with-international-humanitarian-law/>.

<sup>161</sup> <https://www.declassifieduk.org/u-s-military-is-secretly-supplying-weapons-to-israel-using-uk-base-on-cyprus/>; <https://britpalcommittee.co.uk/s/British-Military-Collaboration-Report>, pp. 14–16.

<sup>162</sup> [www.thetimes.com/uk/defence/article/gaza-spying-us-news-lp90mz062](http://www.thetimes.com/uk/defence/article/gaza-spying-us-news-lp90mz062); <https://aoav.org.uk/wp-content/uploads/2025/04/The-UK-Royal-Air-Forces-surveillance-flights-over-the-Occupied-Palestinian-Territory-examined.pdf>.

<sup>163</sup> <https://questions-statements.parliament.uk/written-questions/detail/2024-10-29/11669>

<sup>164</sup> <https://www.palestinedeepdive.com/p/exposed-flight-path-of-secret-british>

<sup>165</sup> [www.declassifieduk.org/us-flew-spy-flights-for-uk-months-before-mod-admitted-it/](http://www.declassifieduk.org/us-flew-spy-flights-for-uk-months-before-mod-admitted-it/)

<sup>166</sup> [https://data.gov.il/dataset/customs\\_import\\_statistics\\_data/resource/80c1e38e-06b9-4a67-b2a4-cc1a76374ce9](https://data.gov.il/dataset/customs_import_statistics_data/resource/80c1e38e-06b9-4a67-b2a4-cc1a76374ce9)

<sup>167</sup> [www.somo.nl/unleashing-terror-dutch-dogs-in-israels-war-crimes/](http://www.somo.nl/unleashing-terror-dutch-dogs-in-israels-war-crimes/).

in the Netherlands,<sup>168</sup> Canada,<sup>169</sup> Australia,<sup>170</sup> Denmark<sup>171</sup> and the United Kingdom<sup>172</sup> – all of which defended their roles, and some cancellation of direct exports<sup>173</sup> – States continue to transfer F-35 parts,<sup>174</sup> heavily used in the genocidal destruction of Gaza.

41. States frequently deploy two arguments to justify arms trade with Israel: such arms are said to be either “defensive”<sup>175</sup> or “non-lethal”.<sup>176</sup> The Arms Trade Treaty does not recognize either distinction, but requires a holistic assessment of how all arms, parts and components will ultimately be used. Given that the occupation of Palestinian territory is an ongoing unlawful use of force in violation of the UN Charter, nothing Israel does there can be understood as “defensive” in nature.<sup>177</sup>

42. States have continued to grant export licences for weapons to Israel, to review and partially retain licences despite acknowledging concerns (e.g., the United Kingdom,<sup>178</sup> Canada,<sup>179</sup> Australia<sup>180</sup>) and to permit transfer of weapons through their ports and airports (e.g., Italy,<sup>181</sup> Netherlands,<sup>182</sup> Ireland,<sup>183</sup> France,<sup>184</sup> Morocco<sup>185</sup>). Italy, the third largest exporter to Israel in 2020–2024, has argued that it complies with legal obligations to cease these exports, while continuing existing agreements<sup>186</sup> and adopting a hands-off approach to transit.<sup>187</sup> These actions, despite clear obligations and compounding concerns, indicate an intent to facilitate Israeli crimes.

<sup>168</sup> [www.hogeraad.nl/actueel/nieuwsoverzicht/2025/oktober/supreme-court-minister-must-perform-reassessment-licence-to-export-35/](http://www.hogeraad.nl/actueel/nieuwsoverzicht/2025/oktober/supreme-court-minister-must-perform-reassessment-licence-to-export-35/); <https://paxforpeace.nl/news/lawsuit-against-dutch-state-stop-delivery-of-f-35s/>.

<sup>169</sup> <https://armstradelitigationmonitor.org/overview/canadian-arms-and-palestine/>; <https://claihr.ca/arms-exports-to-israel-challenge/>; <https://canlii.ca/t/k8rf5>.

<sup>170</sup> [www.alhaq.org/advocacy/22112.html](http://www.alhaq.org/advocacy/22112.html).

<sup>171</sup> <https://armstradelitigationmonitor.org/overview/danish-arms-and-palestine/>;

[www.amnesty.org.au/organisations-will-appeal-court-ruling-denying-admissibility-of-lawsuit-on-exporting-weapons-to-israel-in-denmark/](http://www.amnesty.org.au/organisations-will-appeal-court-ruling-denying-admissibility-of-lawsuit-on-exporting-weapons-to-israel-in-denmark/).

<sup>172</sup> <https://glanlaw.org/news/glaring-accountability-gap-revealed-in-arms-case-high-court-judgment/>.

<sup>173</sup> [www.cbc.ca/news/politics/melanie-joly-canada-arms-israel-gaza-1.7319112](http://www.cbc.ca/news/politics/melanie-joly-canada-arms-israel-gaza-1.7319112);

<https://breachmedia.ca/israeli-warplanes-canadian-gastops/>.

<sup>174</sup> <https://committees.parliament.uk/publications/49215/documents/262248/default/>;

<https://caat.org.uk/data/countries/israel/mapped-all-the-uk-companies-manufacturing-components-for-israels-f35-combat-aircraft/>.

<sup>175</sup> <https://hansard.parliament.uk/Commons/2024-10-28/debates/FCE4F192-3959-4B5D-B4B9-ABBF9E3C2D71/details>; [www.icj-cij.org/sites/default/files/case-related/193/193-20240409-ora-01-00-bi.pdf](http://www.icj-cij.org/sites/default/files/case-related/193/193-20240409-ora-01-00-bi.pdf), pp. 17-18.

<sup>176</sup> [www.crikey.com.au/2025/08/12/f35-fighter-jet-parts-israel-australia-international-law/](http://www.crikey.com.au/2025/08/12/f35-fighter-jet-parts-israel-australia-international-law/).

<sup>177</sup> <https://alhaqueurope.org/wp-content/uploads/2025/09/Wilde-Palestine-AO-OPT-Al-Haq-Europe-Opinion.pdf>, pp. 46

<sup>178</sup> [www.gov.uk/government/news/uk-suspends-around-30-arms-export-licences-to-israel-for-use-in-gaza-over-international-humanitarian-law-concern](http://www.gov.uk/government/news/uk-suspends-around-30-arms-export-licences-to-israel-for-use-in-gaza-over-international-humanitarian-law-concern).

<sup>179</sup> [https://armsembargonow.ca/wp-content/uploads/2025/07/Exposing-Canadian-Military-Exports-to-Israel\\_07292025\\_compressed-.pdf](https://armsembargonow.ca/wp-content/uploads/2025/07/Exposing-Canadian-Military-Exports-to-Israel_07292025_compressed-.pdf).

<sup>180</sup> <https://acij.org.au/australian-government-cannot-rely-on-uk-high-court-decision-on-export-of-f35-arms-parts-to-israel/>.

<sup>181</sup> <https://altreconomia.it/materiale-darmamento-dallitalia-a-israele-lo-squarcio-aperto-dallinchiesta-di-ravenna/>.

<sup>182</sup> [https://www.maskoffmaersk.com/s/Technical-Briefing-on-Dutch-Ports-and-Maersk\\_-Sustaining-the-Israeli-Militarys-F-35s.pdf](https://www.maskoffmaersk.com/s/Technical-Briefing-on-Dutch-Ports-and-Maersk_-Sustaining-the-Israeli-Militarys-F-35s.pdf).

<sup>183</sup> <https://www.rte.ie/news/clarity/2025/0530/1515792-why-shannon-airport-remains-a-key-gateway-for-us-military/>; <https://www.shannonwatch.org/content/us-military-aircraft-through-shannon-between-18-march-and-31-july-2024/>; <https://www.shannonwatch.org/content/us-military-aircraft-through-shannon-and-irish-airspace-between-7-oct-2023-and-17-march-2024>.

<sup>184</sup> [www.france-palestine.org/IMG/pdf/livraisons\\_darmes\\_de\\_la\\_france\\_vers\\_israel\\_-\\_un\\_flux\\_ininterrompu.pdf](http://www.france-palestine.org/IMG/pdf/livraisons_darmes_de_la_france_vers_israel_-_un_flux_ininterrompu.pdf).

<sup>185</sup> [https://www.maskoffmaersk.com/s/Technical-Briefing-on-Dutch-Ports-and-Maersk\\_-Sustaining-the-Israeli-Militarys-F-35s.pdf](https://www.maskoffmaersk.com/s/Technical-Briefing-on-Dutch-Ports-and-Maersk_-Sustaining-the-Israeli-Militarys-F-35s.pdf), p. 3; [www.middleeasteye.net/news/morocco-support-israel-military-equipment-war-gaza](http://www.middleeasteye.net/news/morocco-support-israel-military-equipment-war-gaza).

<sup>186</sup> <https://www.sipri.org/commentary/topical-background/2024/how-top-arms-exporters-have-responded-war-gaza>.

<sup>187</sup> <https://ilmanifesto.it/armi-dirette-in-israele-con-il-trucco-ravenna-insorge-non-si-passa>.



43. States also support the Israeli military through military partnerships and joint defense manoeuvres. Since 2015, the Israeli Air Force has participated in the INIOCHOS exercise, including in 2025 alongside Greece, US, Italy, Qatar, UAE, France, Spain, Montenegro, India, Slovenia and Poland.<sup>188</sup> In 2024–2025, Israel participated with 27 nations in the largest global exercise, led by AFRICOM (US Africa Command) and the Royal Moroccan Armed Forces.<sup>189</sup> Israeli soldiers are trained at the UK Royal College of Defence Studies.<sup>190</sup>

44. In addition, thousands of citizens from the United States, Russia, France, Ukraine and the United Kingdom, among others, have served in the Israeli military since October 2023. Few have been investigated, and none prosecuted for crimes in Gaza.<sup>191</sup>

45. Third States also continue to purchase Israeli weapons and military technology. Besides being a core component of its economy – in 2024 weapons exports accounted for 23 percent of Israeli exports,<sup>192</sup> the second-highest share globally<sup>193</sup> – these exports also enhance Israeli arms manufacturing capacity.

46. A unique selling point of Israeli military technology is that it is tested on Palestinians under occupation and related military activities.<sup>194</sup> The ongoing genocide has enabled Israel to expand the range of weaponry and surveillance systems tested on the Gaza population.<sup>195</sup> As a result, the value of arms exports increased by 18 percent during the genocide,<sup>196</sup> with exports to the EU more than doubling and accounting for 54 percent of Israeli military exports in 2024. Other significant destinations include Asia and the Pacific (23 percent) and Arab countries under the Abraham Accords (12 percent).<sup>197</sup>

### C. Weaponization of aid: creating the living conditions for genocide

47. Some Third States have facilitated the degradation of living conditions of the Gaza population, including by the very means of their participation in the provision of aid.

48. Already, before 7 October, the illegal Gaza blockade imposed by Israel and Egypt – with severe restrictions on the movement of goods, even down to calculated caloric intake<sup>198</sup> – had made 80 percent of the population aid-dependent, with 1.1 million relying on UNRWA for food and basic services.<sup>199</sup> The agency is the bedrock of economic, social and

<sup>188</sup> [www.haf.gr/en/structure/htaf/air-tactics-center/iniochos/archives/iniochos-2025/](http://www.haf.gr/en/structure/htaf/air-tactics-center/iniochos/archives/iniochos-2025/).

<sup>189</sup> [www.theafricareport.com/382009/us-africa-wargames-apache-helicopters-israel-regional-tension-mark-military-exercise/](http://www.theafricareport.com/382009/us-africa-wargames-apache-helicopters-israel-regional-tension-mark-military-exercise/); [https://www.army.mil/article/276952/african\\_lion\\_24\\_concludes\\_with\\_strategic\\_success\\_across\\_four\\_nations](https://www.army.mil/article/276952/african_lion_24_concludes_with_strategic_success_across_four_nations); [www.africom.mil/pressrelease/35825/us-and-royal-moroccan-armed-forces-launch-african-lion-25-in-morocco](http://www.africom.mil/pressrelease/35825/us-and-royal-moroccan-armed-forces-launch-african-lion-25-in-morocco).

<sup>190</sup> [www.declassifieduk.org/britain-trained-israeli-soldiers-fighting-in-gaza/](http://www.declassifieduk.org/britain-trained-israeli-soldiers-fighting-in-gaza/).

<sup>191</sup> [https://fs.knesset.gov.il/globaldocs/MMM/7d0e8fd4-e91c-ef11-815f-005056aac6c3/2\\_7d0e8fd4-e91c-ef11-815f-005056aac6c3\\_11\\_20806.pdf](https://fs.knesset.gov.il/globaldocs/MMM/7d0e8fd4-e91c-ef11-815f-005056aac6c3/2_7d0e8fd4-e91c-ef11-815f-005056aac6c3_11_20806.pdf); [www.aljazeera.com/news/2025/7/30/belgium-refers-war-crimes-complaint-against-israeli-soldiers-to-icc](http://www.aljazeera.com/news/2025/7/30/belgium-refers-war-crimes-complaint-against-israeli-soldiers-to-icc).

<sup>192</sup> Defense exports in 2022 and 2024 taken from: [www.mod.gov.il/en/press-releases/press-room/israel-sets-new-record-in-defense-exports-over-125-billion-in-2022](http://www.mod.gov.il/en/press-releases/press-room/israel-sets-new-record-in-defense-exports-over-125-billion-in-2022); <https://mod.gov.il/en/press-releases/press-room/israel-sets-new-record-in-defense-exports-over-147-billion-in-2024>; merchandising export data taken from: <https://data.worldbank.org/indicator/TX.VAL.MRCH.CD.WT?locations=IL>.

<sup>193</sup> Countries ranked based on index of weapons trade relative to total trade (in current \$). Data for weapons' export from SIPRI available at [www.sipri.org/databases](http://www.sipri.org/databases); trade data taken from the World Bank at <https://data.worldbank.org/indicator/NE.TRD.GNFS.ZS>.

<sup>194</sup> Antony Loewenstein, *The Palestine Laboratory: How Israel Exports the Technology of Occupation Around the World* (Verso Books, 2023).

<sup>195</sup> A/HRC/59/23, para. 36.

<sup>196</sup> Data are taken from <https://mod.gov.il/en/press-releases/press-room/israel-sets-new-record-in-defense-exports-over-147-billion-in-2024> and <https://www.mod.gov.il/en/press-releases/press-room/israel-sets-new-record-in-defense-exports-over-125-billion-in-2022>

<sup>197</sup> <https://mod.gov.il/en/press-releases/press-room/israel-sets-new-record-in-defense-exports-over-147-billion-in-2024>.

<sup>198</sup> [www.ochaopt.org/sites/default/files/HNO\\_2023.pdf](http://www.ochaopt.org/sites/default/files/HNO_2023.pdf), p. 11;

[www.gisha.org/UserFiles/File/publications/redlines/red-lines-presentation-eng.pdf](http://www.gisha.org/UserFiles/File/publications/redlines/red-lines-presentation-eng.pdf).

<sup>199</sup> [www.unrwa.org/gaza15-years-blockade](http://www.unrwa.org/gaza15-years-blockade).

humanitarian support for the Palestinians, especially in Gaza, its embeddedness in the local population allowing it to run more than 400 sites for aid distribution amid the genocide.<sup>200</sup>

49. Since October 2023, Israel has turned existing restrictions into a full blockade.<sup>201</sup> From October 2023 to January 2025, aid was limited to an average of 107 trucks per day – less than one third of pre-2023 levels.<sup>202</sup> In March 2025, Israel further tightened its siege.<sup>203</sup> By August 2025, famine in Gaza was declared by the Integrated Food Security Phase Classification and at least 461 people have died from malnutrition-related causes.<sup>204</sup>

50. In violation of its obligations to ensure adequate means of survival<sup>205</sup> – as reaffirmed by the ICJ<sup>206</sup> – the genocidal campaign by Israel has deliberately sought to destroy the humanitarian system sustaining the occupied population.<sup>207</sup> It has done so through: (i) directly bombing UNRWA warehouses,<sup>208</sup> food distribution sites,<sup>209</sup> schools<sup>210</sup> and clinics,<sup>211</sup> killing more than 370 personnel;<sup>212</sup> (ii) defamation campaigns against UNRWA,<sup>213</sup> and (iii) promoting ad hoc pseudo-humanitarian agencies.<sup>214</sup>

51. When Israel alleged, without evidence, that UNRWA staff were involved in the events of 7 October,<sup>215</sup> 18 States immediately suspended funding,<sup>216</sup> uncritically endorsing the Israeli narrative. Despite inconclusive investigations, the accused staff were fired<sup>217</sup> and most donors took months to resume contributions to UNRWA. The United States, its largest donor, passed a law to prohibit US funding.<sup>218</sup> When the Israeli Knesset took the unprecedented step of outlawing UNRWA operations by 30 January 2025,<sup>219</sup> only some States took action by seeking an ICJ Advisory Opinion.<sup>220</sup>

<sup>200</sup> [www.un.org/unispal/document/unrwa-commissioner-general-on-gaza-the-humanitarian-community-calls-for-an-end-to-the-so-called-gaza-humanitarian-foundation-ghf/](http://www.un.org/unispal/document/unrwa-commissioner-general-on-gaza-the-humanitarian-community-calls-for-an-end-to-the-so-called-gaza-humanitarian-foundation-ghf/).

<sup>201</sup> A/HRC/55/73, paras. 26, 36 and 40; A/HRC/60/CRP.3, paras. 190-203.

<sup>202</sup> [www.ochaopt.org/data/crossings](http://www.ochaopt.org/data/crossings); [www.crisisgroup.org/middle-east-north-africa/east-mediterranean-mena/israelpalestine/244-stopping-famine-gaza](http://www.crisisgroup.org/middle-east-north-africa/east-mediterranean-mena/israelpalestine/244-stopping-famine-gaza).

<sup>203</sup> [www.ohchr.org/en/press-releases/2025/03/gaza-experts-condemn-israeli-decision-re-open-gates-hell-and-unilaterally](http://www.ohchr.org/en/press-releases/2025/03/gaza-experts-condemn-israeli-decision-re-open-gates-hell-and-unilaterally).

<sup>204</sup> [www.un.org/unispal/wp-content/uploads/2025/08/IPC\\_Famine\\_Review\\_Committee\\_Report\\_Gaza\\_Aug2025-compressed.pdf](http://www.un.org/unispal/wp-content/uploads/2025/08/IPC_Famine_Review_Committee_Report_Gaza_Aug2025-compressed.pdf); [www.ochaopt.org/content/humanitarian-situation-update-329-gaza-strip](http://www.ochaopt.org/content/humanitarian-situation-update-329-gaza-strip).

<sup>205</sup> Fourth Geneva Convention, Articles 55 and 60 API.

<sup>206</sup> Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip (South Africa v. Israel), Jurisdiction of the Court, Orders, 26 January 2024, I.C.J. Reports 2024, p. 29.

<sup>207</sup> A/HRC/60/CRP.3, para. 198.

<sup>208</sup> <https://news.un.org/en/story/2025/01/1158746>.

<sup>209</sup> [www.unrwa.org/newsroom/official-statements/least-one-unrwa-staff-killed-when-israeli-forces-hit-unrwa-centre-used](http://www.unrwa.org/newsroom/official-statements/least-one-unrwa-staff-killed-when-israeli-forces-hit-unrwa-centre-used).

<sup>210</sup> <https://news.un.org/en/story/2025/05/1162996>.

<sup>211</sup> [www.aljazeera.com/video/newsfeed/2025/4/3/deadly-israeli-air-attack-on-unrwa-clinic-in-gaza](http://www.aljazeera.com/video/newsfeed/2025/4/3/deadly-israeli-air-attack-on-unrwa-clinic-in-gaza).

<sup>212</sup> [www.unrwa.org/resources/reports/unrwa-situation-report-192-situation-gaza-strip-and-west-bank-including-east-jerusalem](http://www.unrwa.org/resources/reports/unrwa-situation-report-192-situation-gaza-strip-and-west-bank-including-east-jerusalem).

<sup>213</sup> [www.impact-se.org/wp-content/uploads/UNRWA-Education-Textbooks-and-Terror-Nov-2023.pdf](http://www.impact-se.org/wp-content/uploads/UNRWA-Education-Textbooks-and-Terror-Nov-2023.pdf); [www.unrwa.org/newsroom/official-statements/state-israel-continues-dis-information-campaign-against-unrwa](http://www.unrwa.org/newsroom/official-statements/state-israel-continues-dis-information-campaign-against-unrwa); [www.reuters.com/world/middle-east/usaid-analysis-found-no-evidence-massive-hamas-theft-gaza-aid-2025-07-25/](http://www.reuters.com/world/middle-east/usaid-analysis-found-no-evidence-massive-hamas-theft-gaza-aid-2025-07-25/).

<sup>214</sup> [www.idf.il/media/phthyhtm/08-המנהרה-בקר-ב-109-113.pdf](http://www.idf.il/media/phthyhtm/08-המנהרה-בקר-ב-109-113.pdf) pp. 109–113.

<sup>215</sup> [www.unrwa.org/newsroom/official-statements/serious-allegations-against-unrwa-staff-gaza-strip](http://www.unrwa.org/newsroom/official-statements/serious-allegations-against-unrwa-staff-gaza-strip); <https://govextra.gov.il/media/d21mw2f3/the-connection-between-unrwa-and-hamas-280425.pdf>.

<sup>216</sup> <https://www.ohchr.org/en/press-releases/2024/02/states-must-reinstate-and-strengthen-support-unrwa-amid-unfolding-genocide>.

<sup>217</sup> [www.unrwa.org/newsroom/official-statements/serious-allegations-against-unrwa-staff-gaza-strip](http://www.unrwa.org/newsroom/official-statements/serious-allegations-against-unrwa-staff-gaza-strip).

<sup>218</sup> <https://appropriations.house.gov/news/press-releases/house-passes-series-security-supplemental-bills>.

<sup>219</sup> <https://main.knesset.gov.il/en/news/pressreleases/pages/press22724y.aspx>; <https://main.knesset.gov.il/EN/News/PressReleases/Pages/press291024q.aspx>.

<sup>220</sup> *Obligations of Israel in relation to the Presence and Activities of the United Nations, Other International Organizations and Third States in and in relation to the Occupied Palestinian Territory*, new Advisory Opinion imminent, 22 October 2025.

52. The brutal attack on the UN system was complemented by its attempted substitution with an Israel–US-controlled aid mechanism.<sup>221</sup> The Gaza Humanitarian Foundation (GHF) – conceived as early as December 2023,<sup>222</sup> with US support and funding – used aid distribution, through military-run sites staffed with US mercenaries,<sup>223</sup> to facilitate the forced displacement of Palestinians toward Egypt.<sup>224</sup> This seemed to anticipate the so-called “Gaza Riviera” plan, which would have led to Palestinian forced displacement.<sup>225</sup>

53. From March 2025 onwards,<sup>226</sup> amid the total siege-induced famine and the destruction of 23 UNRWA sites in four months,<sup>227</sup> 2,100 unarmed civilians were killed and hundreds of thousands were injured by Israeli forces and US contractors at GHF.<sup>228</sup> Despite this, it was only after President Trump’s “peace plan” that the GHF was disbanded.<sup>229</sup>

54. Instead of opposing this man-made humanitarian catastrophe, Belgium,<sup>230</sup> Canada,<sup>231</sup> Denmark,<sup>232</sup> Jordan<sup>233</sup> and the United Kingdom,<sup>234</sup> among others, parachuted aid into Gaza – an expensive, inadequate and dangerous response.<sup>235</sup> While purporting to be taking action to ease shortages, this only served to mislead international public opinion while the famine worsened. Naval aid missions to Gaza, attempts by civil society groups to break the siege have been unlawfully intercepted by Israel in international waters – amid silence and inaction by Third States.<sup>236</sup>

55. At several crucial moments, instead of adhering to their legal obligations, Third States have assisted the deterioration of conditions of life, implicating them in the devastating impact caused to the civilian population in dire need.<sup>237</sup>

#### D. Economic and Trade Relations: the fuel and profits of genocide

56. Israel is heavily reliant on international trade and economic cooperation. Maintaining normal trade relations despite the illegality of its occupation and systematic human rights and humanitarian law violations – now escalated to genocide – legitimizes and sustains the Israeli apartheid regime. In 2024, international trade in goods and services equaled 54 percent of

<sup>221</sup> A/HRC/60/CRP.3, paras. 197–198.

<sup>222</sup> [www.nytimes.com/2025/05/24/world/middleeast/israel-gaza-aid-plan.html](https://www.nytimes.com/2025/05/24/world/middleeast/israel-gaza-aid-plan.html).

<sup>223</sup> <https://x.com/UNLazarini/status/1952717201435185309>; [www.unrwausa.org/unrwa-usa-press-releases/let-unrwa-work-stop-the-engineered-starvation-of-gaza](https://www.unrwausa.org/unrwa-usa-press-releases/let-unrwa-work-stop-the-engineered-starvation-of-gaza).

<sup>224</sup> [https://content.forensic-architecture.org/wp-content/uploads/2025/08/2025.08.22\\_The-Architecture-of-Genocidal-Starvation-in-Gaza\\_FA.pdf](https://content.forensic-architecture.org/wp-content/uploads/2025/08/2025.08.22_The-Architecture-of-Genocidal-Starvation-in-Gaza_FA.pdf), paras. 171–174; [www.doctorswithoutborders.org/sites/default/files/documents/MSF-Gaza-ThisIsNotAid-FINAL.pdf](https://www.doctorswithoutborders.org/sites/default/files/documents/MSF-Gaza-ThisIsNotAid-FINAL.pdf), p. 6.

<sup>225</sup> [www.whitehouse.gov/videos/president-trump-holds-a-press-conference-with-prime-minister-netanyahu-of-israel/](https://www.whitehouse.gov/videos/president-trump-holds-a-press-conference-with-prime-minister-netanyahu-of-israel/), 38:31–40:07.

<sup>226</sup> [www.unrwa.org/resources/reports/unrwa-situation-report-163-situation-gaza-strip-and-west-bank-including-east-jerusalem](https://www.unrwa.org/resources/reports/unrwa-situation-report-163-situation-gaza-strip-and-west-bank-including-east-jerusalem); [www.unrwa.org/resources/reports/unrwa-situation-report-187-situation-gaza-strip-and-west-bank-including-east-jerusalem](https://www.unrwa.org/resources/reports/unrwa-situation-report-187-situation-gaza-strip-and-west-bank-including-east-jerusalem).

<sup>227</sup> <https://forensic-architecture.org/investigation/aid-in-gaza>.

<sup>228</sup> <https://news.un.org/en/story/2025/09/1165774>.

<sup>229</sup> <https://x.com/RapidResponse47/status/1972726021196562494>; [www.middleeastmonitor.com/20251013-gaza-foundation-a-dark-page-in-the-history-of-humanitarian-work-comes-to-an-end/](https://www.middleeastmonitor.com/20251013-gaza-foundation-a-dark-page-in-the-history-of-humanitarian-work-comes-to-an-end/).

<sup>230</sup> [www.belgianewsagency.eu/belgian-military-returns-after-humanitarian-drops-in-gaza](https://www.belgianewsagency.eu/belgian-military-returns-after-humanitarian-drops-in-gaza).

<sup>231</sup> [www.canada.ca/en/global-affairs/news/2025/08/canadian-armed-forces-air-drop-humanitarian-assistance-in-gaza.html](https://www.canada.ca/en/global-affairs/news/2025/08/canadian-armed-forces-air-drop-humanitarian-assistance-in-gaza.html).

<sup>232</sup> [www.fmn.dk/da/nyheder/2025/forsvarets-transportfly-kaster-nodhjelp-ned-over-gaza/](https://www.fmn.dk/da/nyheder/2025/forsvarets-transportfly-kaster-nodhjelp-ned-over-gaza/).

<sup>233</sup> [www.jaf.mil.jo/NewsViewen.aspx?NewsId=59946](https://www.jaf.mil.jo/NewsViewen.aspx?NewsId=59946).

<sup>234</sup> [www.gov.uk/government/news/uk-forces-airdrop-100-tonnes-of-aid-for-gaza-civilians](https://www.gov.uk/government/news/uk-forces-airdrop-100-tonnes-of-aid-for-gaza-civilians).

<sup>235</sup> [www.unrwa.org/resources/reports/unrwa-situation-report-182-situation-gaza-strip-and-west-bank-including-east-jerusalem](https://www.unrwa.org/resources/reports/unrwa-situation-report-182-situation-gaza-strip-and-west-bank-including-east-jerusalem).

<sup>236</sup> [www.ohchr.org/en/press-releases/2025/10/israel-must-ensure-safety-and-liberty-flotilla-activists-after-another](https://www.ohchr.org/en/press-releases/2025/10/israel-must-ensure-safety-and-liberty-flotilla-activists-after-another); [www.ohchr.org/en/press-releases/2025/09/un-experts-stand-solidarity-global-sumud-flotilla-demand-full-protection-all](https://www.ohchr.org/en/press-releases/2025/09/un-experts-stand-solidarity-global-sumud-flotilla-demand-full-protection-all).

<sup>237</sup> <https://news.un.org/en/story/2025/01/1159586>.

Israeli GDP (down from 61 percent in 2022).<sup>238</sup> The EU, its largest trade partner, provided almost a third of total trade for the last two years.<sup>239</sup>

57. Imports beyond weapons are vital to secure the goods necessary to sustain the illegal occupation and other unlawful Israeli policies and practices.<sup>240</sup> Many Israeli imports are dual-use goods, which can be used in the production of both civilian and military products. In 2024, these goods accounted for 31 percent of Israeli merchandise imports from the European Union.<sup>241</sup>

58. Exports earned Israel US\$474 billion in 2022–2024,<sup>242</sup> fuelling the economy and the fiscal coffers and enhancing its arms manufacturing capacity through the exports of dual-use items. In 2023, integrated circuits became Israel's top export accounting for 16 percent of Israeli merchandise exports (US\$10 billion).<sup>243</sup> Often marketed as civilian technologies,<sup>244</sup> these dual-use items are essential to Israeli military systems that surveil, control and kill Palestinians, reinforcing a military–civilian economic symbiosis and Israel's role in the global tech-arms race.<sup>245</sup> Precision-guided munitions, drones and missile defence systems all rely on such specialized circuits for navigation, radar and control.

59. Israeli trade is reinforced by at least 45 economic cooperation agreements, including with the EU, the US and the UAE (implementing the Abraham Accords). These agreements remove tariff and non-tariff barriers for dual-use and defence goods and services, while often failing to distinguish dealings with the oPt, implicitly recognizing Israeli authority over illegal settlers and their businesses and annexed land.

60. Economic cooperation also extends beyond trade. Since 2014, the European Commission Research and Innovation Framework (since 2021, Horizon Europe) has provided €2.1 billion in grants to Israeli entities in science, technology and innovation,<sup>246</sup> many developing dual-use and military technologies.<sup>247</sup> The programme's European Innovation Council has also financed 34 Israeli companies with €550 million of equity and blended finance since 2021, making Israel among the highest per capita beneficiaries.<sup>248</sup>

61. Since 1981, the European Investment Bank has financed Israeli entities with €2.7 billion,<sup>249</sup> including €760 million in loans to Bank Leumi,<sup>250</sup> listed on the OHCHR Database.<sup>251</sup> Other agreements include the US–Israel BIRD and US–Israel BSF, the agreement between the Israeli Foreign Trade Risks Insurance Corporation and UAE Etihad Credit Insurance and the China–Israel Innovation Partnership.

62. States have largely avoided action to meet their legal obligations. No trade or economic agreement signed since 1967 has been suspended. Only a few States have reduced trade amid the ongoing genocide, most notably Türkiye, which announced the suspension of

<sup>238</sup> <https://data.worldbank.org/indicator/NE.TRD.GNFS.ZS?end=2024&locations=IL>.

<sup>239</sup> [https://policy.trade.ec.europa.eu/eu-trade-relationships-country-and-region/countries-and-regions/israel\\_en](https://policy.trade.ec.europa.eu/eu-trade-relationships-country-and-region/countries-and-regions/israel_en)

<sup>240</sup> A/HRC/59/23, para. 34,56.

<sup>241</sup> Own calculation based on dual use goods: [https://policy.trade.ec.europa.eu/help-exporters-and-importers/exporting-dual-use-items\\_en](https://policy.trade.ec.europa.eu/help-exporters-and-importers/exporting-dual-use-items_en); and Eurostat bilateral trade data: <https://ec.europa.eu/eurostat/comext/newxtweb/submitopensavedextraction.do?extractionId=18707148&datasetID=DS-059322&keepsessionkey=true>

<sup>242</sup> <https://data.worldbank.org/indicator/NE.EXP.GNFS.CD?end=2024&locations=IL&start=2022>

<sup>243</sup> <https://oec.world/en/profile/country/isr>

<sup>244</sup> <https://en.globes.co.il/en/article-scd-wins-115m-defense-ministry-infrared-sensor-deal-1001520430>

<sup>245</sup> <https://startupnationcentral.org/hub/blog/israels-tech-response-to-a-multi-front-conflict/>

<sup>246</sup> [https://dashboard.tech.ec.europa.eu/qs\\_digit\\_dashboard\\_mt/public/sense/app/d58f3864-d519-4f9f-855e-c34f9860acdd/sheet/7a2acdb7-ee97-4161-affe-302abc4888bb/state/analysis?utm\\_source=substack&utm\\_medium=email](https://dashboard.tech.ec.europa.eu/qs_digit_dashboard_mt/public/sense/app/d58f3864-d519-4f9f-855e-c34f9860acdd/sheet/7a2acdb7-ee97-4161-affe-302abc4888bb/state/analysis?utm_source=substack&utm_medium=email).

<sup>247</sup> A/HRC/59/23, para 84.

<sup>248</sup> <https://eic-datahub.eisma.eu/>; <https://data.worldbank.org/indicator/SP.POP.TOTL>.

<sup>249</sup> <https://www.eib.org/en/projects/country/israel>.

<sup>250</sup> <https://www.eib.org/en/press/all/2023-250-eib-and-israel-s-bank-leumi-strengthen-climate-action-and-sustainable-development-cooperation-following-eur-500-m-transaction>

<sup>251</sup> <https://files.nettsteder.regjeringen.no/wpuploads01/sites/275/2025/08/Leumi-ENG.pdf>;

[https://www.hrw.org/sites/default/files/report\\_pdf/israel0518\\_web.pdf](https://www.hrw.org/sites/default/files/report_pdf/israel0518_web.pdf);

<https://www.whoprofits.org/companies/company/3790>.

all trade with Israel in May 2024,<sup>252</sup> resulting in a 64 percent reduction in Turkish-origin imports and near-total cessation of exports in January–August 2025,<sup>253</sup> although some trade has reportedly continued indirectly.<sup>254</sup> Meanwhile, other countries increased their trade with Israel during the genocide, including Germany (+US\$836 million), Poland (+US\$237 million), Greece (+US\$186 million), Italy (+US\$117 million), Denmark (+US\$99 million), France (+US\$75 million) and Serbia (+US\$56 million), as well as Arab countries, including the United Arab Emirates (+US\$237 million), Egypt (+US\$199 million), Jordan (+US\$41 million) and Morocco (+US\$6 million). This countered the trade decline Israel might otherwise have faced (–6 percent).<sup>255</sup>

63. The obligation of Third States to act against international law violations is often incorporated into treaties. For instance, the 1996 Türkiye-Israel Free Trade Agreement conditions cooperation on respect of public policy, morality, international peace, and security.<sup>256</sup> Similarly, the EU–Israel Association Agreement makes human rights and democratic principles an “essential elements clause”.<sup>257</sup> However, these principles remain unfulfilled. A 2024 internal paper of the EU, leaked in August 2025, shows how the EU was determined to preserve business-as-usual despite evidence of Israeli violations of the terms of the agreement in the face of the illegal occupation and genocide.<sup>258</sup> The proposal of the European Commission to cancel core trade preferences on 37 percent of Israeli exports to the EU still awaits approval.<sup>259</sup>

64. Besides the suspension of the trade agreement with Israel, states must also suspend all trade with Israel in dual-use products, as the EU did with Russia following its invasion of Ukraine.<sup>260</sup> In the case of the EU, this represented 38 percent of all EU–Israel trade (US\$17.5 billion) in 2024, based on the EU definition of dual use.<sup>261</sup> The largest dual-use trade is in integrated circuits with Ireland, which increased from US\$2.2 billion in 2022 to US\$3.2 billion in 2024.<sup>262</sup>

65. Energy trade has often been subject to embargoes aimed at bringing countries in line with their international legal obligations: examples include apartheid South Africa<sup>263</sup> and, currently, Russia<sup>264</sup> and Iran.<sup>265</sup> In the case of Israel, only Colombia, which banned coal exports to Israel in 2024, has acted.<sup>266</sup> Russia and the United States were major suppliers of refined fuel products to Israel, while Azerbaijan, Kazakhstan, Brazil and South Africa

<sup>252</sup> <https://ticaret.gov.tr/data/675d31b813b8761ad0813b54/Ticaret%20Bakanl%C4%B1g%C4%B1%20%20%C4%B0srail%20ile%20Ticaretin%20Durudurulmas%C4%B1%20S%C3%BCreci%20Hakk%C4%B1nda%20Bilgi%20Notu.pdf>;

<https://x.com/ticaret/status/1786126879763599797/photo/2>.

<sup>253</sup> [www.cbs.gov.il/en/mediarelease/Pages/2025/Israel-Foreign-Trade-in-Goods-by-Country-August-2025.aspx](http://www.cbs.gov.il/en/mediarelease/Pages/2025/Israel-Foreign-Trade-in-Goods-by-Country-August-2025.aspx).

<sup>254</sup> [www.duvarenglish.com/turkey-breaches-its-own-trade-embargo-on-israel-by-shipping-crude-oil-report-news-65319](http://www.duvarenglish.com/turkey-breaches-its-own-trade-embargo-on-israel-by-shipping-crude-oil-report-news-65319); [www.duvarenglish.com/new-report-reveals-series-of-crude-oil-shipments-from-turkey-to-israel-news-65412](http://www.duvarenglish.com/new-report-reveals-series-of-crude-oil-shipments-from-turkey-to-israel-news-65412).

<sup>255</sup> Reported figures are changes between 2023 and 2025 from January–August. Bilateral trade data: [www.cbs.gov.il/en/mediarelease/Pages/2025/Israel-Foreign-Trade-in-Goods-by-Country-August-2025.aspx](http://www.cbs.gov.il/en/mediarelease/Pages/2025/Israel-Foreign-Trade-in-Goods-by-Country-August-2025.aspx).

<sup>256</sup> <https://www.trade.gov.tr/free-trade-agreements/israel>.

<sup>257</sup> [https://eeas.europa.eu/archives/delegations/israel/documents/eu\\_israel/asso\\_agree\\_en.pdf](https://eeas.europa.eu/archives/delegations/israel/documents/eu_israel/asso_agree_en.pdf)

<sup>258</sup> <https://electronicintifada.net/blogs/david-cronin/internal-paper-shows-eu-sought-shield-israel-sanctions>

<sup>259</sup> [www.middleeasteye.net/news/eu-commission-proposes-freezing-trade-pact-israel-gaza](http://www.middleeasteye.net/news/eu-commission-proposes-freezing-trade-pact-israel-gaza).

<sup>260</sup> [https://commission.europa.eu/topics/eu-solidarity-ukraine/eu-sanctions-against-russia-following-invasion-ukraine/sanctions-dual-use-goods\\_en](https://commission.europa.eu/topics/eu-solidarity-ukraine/eu-sanctions-against-russia-following-invasion-ukraine/sanctions-dual-use-goods_en).

<sup>261</sup> Own calculations based on dual use items: [https://policy.trade.ec.europa.eu/help-exporters-and-importers/exporting-dual-use-items\\_en](https://policy.trade.ec.europa.eu/help-exporters-and-importers/exporting-dual-use-items_en) and Eurostat data: <https://ec.europa.eu/eurostat/comext/newxtweb/submitopensavedextraction.do?extractionId=18707148&datasetID=DS-059322&keepsessionkey=true>.

<sup>262</sup> [www.cbs.gov.il/en/Pages/Imports-and-Exports.aspx](http://www.cbs.gov.il/en/Pages/Imports-and-Exports.aspx).

<sup>263</sup> [www.econ.yale.edu/growth\\_pdf/cdp796.pdf](http://www.econ.yale.edu/growth_pdf/cdp796.pdf).

<sup>264</sup> <https://commission.europa.eu/topics/eu-solidarity-ukraine/eu-sanctions-against-russia-following-invasion-ukraine/sanctions-energy>.

<sup>265</sup> [www.state.gov/releases/2025/07/sanctioning-entities-that-have-traded-in-irans-petroleum](http://www.state.gov/releases/2025/07/sanctioning-entities-that-have-traded-in-irans-petroleum).

<sup>266</sup> [www.mincit.gov.co/normatividad/decretos/2024/decreto-1047-del-14-de-agosto-de-2024](http://www.mincit.gov.co/normatividad/decretos/2024/decreto-1047-del-14-de-agosto-de-2024).

continued to supply Israel with essential raw materials.<sup>267</sup> Countries such as Morocco<sup>268</sup>, Italy,<sup>269</sup> France<sup>270</sup> and Türkiye<sup>271</sup> have continued to provide key ports for products, including oil and gas.<sup>272</sup> The European Union and Egypt have continued to import gas from Israel through the Eastern Mediterranean Gas pipeline, which illegally passes through the sea adjacent to the Gaza Strip, violating Palestinian sovereign rights.<sup>273</sup> In August 2025, as starvation gripped Gaza, Egypt expanded its partnership with Israel through a US\$35 billion natural gas deal – the largest export deal in Israeli history.<sup>274</sup>

66. Trade and the supply of materials and weapons to Israel rely on Third States' transportation infrastructure. Ports known to have facilitated the trans-shipment to Israel of F-35 parts,<sup>275</sup> weapons, jet fuel, oil<sup>276</sup> and/or other materials include Türkiye<sup>277</sup>, France,<sup>278</sup> Italy,<sup>279</sup> Belgium,<sup>280</sup> Netherlands,<sup>281</sup> Greece,<sup>282</sup> Morocco<sup>283</sup> and the US.<sup>284</sup> Airfields in Ireland,<sup>285</sup> Belgium<sup>286</sup> and the United States<sup>287</sup> also support transfers. Many ports also facilitate Israeli gas exports, including via the EMG Pipeline to Egypt.<sup>288</sup> Port workers in

- <sup>267</sup> <https://docs.datadesk.eco/public/976ce7dcf00743dc/>; <https://oilchange.org/wp-content/uploads/2024/08/behind-the-barrel-august-2024-v3.pdf>; <https://www.somo.nl/powering-injustice/>
- <sup>268</sup> <https://www.genocidewatch.com/single-post/fuelling-the-machinery-of-genocide-morocco-s-backdoor-support-for-israel-s-war-on-gaza>
- <sup>269</sup> <https://www.politico.eu/article/italian-dockworkers-threaten-israel-cargo-ban-gaza-flotilla-departs-genova/>
- <sup>270</sup> <https://www.france24.com/en/live-news/20250605-french-dock-workers-block-shipment-of-military-material-for-israel-union-1>
- <sup>271</sup> <https://thecradle.co/articles/israel-is-not-isolated-a-global-web-of-oil-and-complicity>
- <sup>272</sup> <https://docs.datadesk.eco/public/976ce7dcf00743dc/>.
- <sup>273</sup> A/HRC/59/23, para. 58; [https://energy.ec.europa.eu/publications/eu-egypt-israel-memorandum-understanding\\_en](https://energy.ec.europa.eu/publications/eu-egypt-israel-memorandum-understanding_en); <https://globalwitness.org/en/campaigns/fossil-fuels/eu-risks-breaching-international-law-over-israeli-gas-deal-legal-experts-say/>; <https://www.tni.org/en/article/leaking-imperialism>.
- <sup>274</sup> [www.reuters.com/business/energy/israels-leviathan-signs-35-billion-natural-gas-supply-deal-with-egypt-2025-08-07/](https://www.reuters.com/business/energy/israels-leviathan-signs-35-billion-natural-gas-supply-deal-with-egypt-2025-08-07/).
- <sup>275</sup> [www.maskoffmaersk.com/reports](https://www.maskoffmaersk.com/reports)
- <sup>276</sup> <https://docs.datadesk.eco/public/976ce7dcf00743dc/>
- <sup>277</sup> <https://progressive.international/wire/2024-10-28-international-call-to-action-bp-and-socar-stop-fuelling-genocide/en>.
- <sup>278</sup> <https://disclose.ngo/fr/article/la-france-sapprete-a-livrer-des-equipements-pour-mitrailleuses-vers-israel>.
- <sup>279</sup> <https://bdsmovement.net/news/stop-transit-military-materiel-israel-through-italian-port-ravenna>.
- <sup>280</sup> <https://en.flows.be/shipping/2025/07/antwerp-port-not-allowed-to-forward-military-equipment-to-israel/>
- <sup>281</sup> [www.maskoffmaersk.com/s/Technical-Briefing-on-Dutch-Ports-and-Maersk\\_-Sustaining-the-Israeli-Militarys-F-35s.pdf](https://www.maskoffmaersk.com/s/Technical-Briefing-on-Dutch-Ports-and-Maersk_-Sustaining-the-Israeli-Militarys-F-35s.pdf).
- <sup>282</sup> <https://bdsmovement.net/news/Military-Supplies-Israeli-Military-Industries-Bombay>.
- <sup>283</sup> [https://www.maskoffmaersk.com/s/Technical-Briefing-on-Dutch-Ports-and-Maersk\\_-Sustaining-the-Israeli-Militarys-F-35s.pdf](https://www.maskoffmaersk.com/s/Technical-Briefing-on-Dutch-Ports-and-Maersk_-Sustaining-the-Israeli-Militarys-F-35s.pdf), p. 3.
- <sup>284</sup> <https://www.maskoffmaersk.com/s/Report-MaerskShipmentsIsrael-Rev7Nov2024-Final.pdf>; [www.somo.nl/fuelling-the-flamesin-gaza/](https://www.somo.nl/fuelling-the-flamesin-gaza/)
- <sup>285</sup> [www.rte.ie/news/clarity/2025/0530/1515792-why-shannon-airport-remains-a-key-gateway-for-us-military/](https://www.rte.ie/news/clarity/2025/0530/1515792-why-shannon-airport-remains-a-key-gateway-for-us-military/); [www.shannonwatch.org/content/us-military-aircraft-through-shannon-between-18-march-and-31-july-2024/](https://www.shannonwatch.org/content/us-military-aircraft-through-shannon-between-18-march-and-31-july-2024/); [www.shannonwatch.org/content/us-military-aircraft-through-shannon-and-irish-airspace-between-7-oct-2023-and-17-march-2024](https://www.shannonwatch.org/content/us-military-aircraft-through-shannon-and-irish-airspace-between-7-oct-2023-and-17-march-2024).
- <sup>286</sup> [https://ipisresearch.be/wp-content/uploads/2024/03/20240305\\_Vredesactie-IPIS-Belgische-wapenexport-naar-Israel.pdf](https://ipisresearch.be/wp-content/uploads/2024/03/20240305_Vredesactie-IPIS-Belgische-wapenexport-naar-Israel.pdf)
- <sup>287</sup> <https://www.maskoffmaersk.com/s/Exposing-Oakland-Airports-Military-Cargo-Shipments-To-Israel.pdf>.
- <sup>288</sup> [https://energy.ec.europa.eu/document/download/c9e9d864-1e30-48ec-a0c3-b4de89873b65\\_en?filename=MoU%20EU%20Egypt%20Israel.pdf](https://energy.ec.europa.eu/document/download/c9e9d864-1e30-48ec-a0c3-b4de89873b65_en?filename=MoU%20EU%20Egypt%20Israel.pdf); [www.tni.org/en/article/leaking-imperialism](https://www.tni.org/en/article/leaking-imperialism); [www.instagram.com/p/C6ZkRHl0Mdi/?img\\_index=1](https://www.instagram.com/p/C6ZkRHl0Mdi/?img_index=1).

multiple countries blocked illicit trade in France,<sup>289</sup> Belgium,<sup>290</sup> Italy,<sup>291</sup> Morocco,<sup>292</sup> Sweden,<sup>293</sup> Spain,<sup>294</sup> Gibraltar,<sup>295</sup> Cyprus,<sup>296</sup> Malta<sup>297</sup>, Greece,<sup>298</sup> Crete<sup>299</sup> and the United States.<sup>300</sup> In response, ships and aircrafts often disable transponders to conceal routes: ports (e.g., Morocco)<sup>301</sup> have rerouted shipments and some deliveries go through third-State traders.<sup>302</sup> Belgium,<sup>303</sup> Spain<sup>304</sup> and others have worked to facilitate this transit.

## V. Conclusion

67. The genocide in Gaza was not committed in isolation, but as part of a system of global complicity. Rather than ensuring that Israel respects the basic human rights and self-determination of the Palestinian people, powerful Third States – perpetuating colonial and racial-capitalist practices that should have long been consigned to history – have allowed violent practices to become an everyday reality. Even as the genocidal violence became visible, States, mostly Western ones, have provided, and continue to provide, Israel with military, diplomatic, economic and ideological support, even as it weaponized famine and humanitarian aid. The horrors of the past two years are not an aberration, but the culmination of a long history of complicity.

68. Third States' acts, omissions and discourse in support of a genocidal apartheid State are such that they could and should be held liable for aiding, assisting or jointly participating in internationally wrongful acts, within a context of systematic violations of peremptory and *erga omnes* norms. At this critical juncture, it is imperative that Third States immediately suspend and review all military, diplomatic and economic relations with Israel, as any such engagement could represent means to aid/assist/directly participate in unlawful acts, including war crimes, crimes against humanity and genocide.

69. Many Third States have operated with the very impunity they have granted Israel. Their disregard for international law undermines the foundations of the multilateral order painstakingly built over eight decades by States and people within the United Nations. This will stand in history as an offence not only to justice, but to the very idea of our common humanity. While justice must involve criminal trials – whether in international or domestic courts – accountability extends beyond prosecutions to

<sup>289</sup> [www.france24.com/en/live-news/20250605-french-dock-workers-block-shipment-of-military-material-for-israel-union-1](https://www.france24.com/en/live-news/20250605-french-dock-workers-block-shipment-of-military-material-for-israel-union-1).

<sup>290</sup> [www.reuters.com/world/europe/belgian-unions-refuse-handling-arms-shipments-israel-hamas-conflict-2023-10-31/#:~:text=BRUSSELS%2C%20Oct%2031%20\(Reuters\),workers%20have%20seen%20arms%20shipments](https://www.reuters.com/world/europe/belgian-unions-refuse-handling-arms-shipments-israel-hamas-conflict-2023-10-31/#:~:text=BRUSSELS%2C%20Oct%2031%20(Reuters),workers%20have%20seen%20arms%20shipments).

<sup>291</sup> <https://thecradle.co/articles/italian-dockworkers-block-passage-of-saudi-ship-carrying-arms-for-israel?fbclid=IwY2xjawNDlgdleHRuA2FlbQIxMABicmlkE>.

<sup>292</sup> [www.newarab.com/news/morocco-bds-wants-stop-maersks-f-35-shipment-israel](https://www.newarab.com/news/morocco-bds-wants-stop-maersks-f-35-shipment-israel).

<sup>293</sup> [www.socialisterna.org/hamnstrejken-fortsatter/](https://www.socialisterna.org/hamnstrejken-fortsatter/).

<sup>294</sup> [www.telecincio.es/noticias/sociedad/20240727/manifestantes-algeciras-gobierno-no-barcos-armamento-israel\\_18\\_013124695.html](https://www.telecincio.es/noticias/sociedad/20240727/manifestantes-algeciras-gobierno-no-barcos-armamento-israel_18_013124695.html).

<sup>295</sup> [www.chronicle.gi/overseas-santorini-sails-from-gibraltar-after-brief-logistics-stop-without-refuelling/](https://www.chronicle.gi/overseas-santorini-sails-from-gibraltar-after-brief-logistics-stop-without-refuelling/).

<sup>296</sup> <https://in-cyprus.philenews.com/local/akel-joins-international-call-to-block-fuel-shipment-to-israel/>.

<sup>297</sup> <https://timesofmalta.com/article/fuel-tankers-heading-israel-make-no-official-request-refuel-malta.1096274>.

<sup>298</sup> <https://pamehellas.gr/arms-shipment-to-israel-blocked-by-workers-of-piraeus>.

<sup>299</sup> [www.euronews.com/2025/07/29/pro-palestine-group-in-greece-protests-arrival-of-israeli-cruise-ship-on-crete-island](https://www.euronews.com/2025/07/29/pro-palestine-group-in-greece-protests-arrival-of-israeli-cruise-ship-on-crete-island).

<sup>300</sup> <https://liberationnews.org/block-the-boat-coalition-pickets-israeli-apartheid-ship-in-elizabeth-nj/>.

<sup>301</sup> <https://maritime-executive.com/article/maersk-line-vessel-diverts-to-morocco-due-to-allegations-in-spain>.

<sup>302</sup> [www.middleeasteye.net/news/new-evidence-reveals-routine-oil-shipments-turkey-israel](https://www.middleeasteye.net/news/new-evidence-reveals-routine-oil-shipments-turkey-israel).

<sup>303</sup> <https://bdsmovement.net/news/belgian-court-rules-against-transit-military-equipment>; <https://11.be/en/impact/court-bans-further-transit-of-all-military-equipment-to-Israel-with-groundbreaking>.

<sup>304</sup> [www.newarab.com/news/over-1000-us-arms-exports-israel-made-spain-port-report](https://www.newarab.com/news/over-1000-us-arms-exports-israel-made-spain-port-report); <https://portal.mineco.gob.es/es-es/comunicacion/Paginas/embargo-armas-israel.aspx>.

include reparations: restitution, compensation, rehabilitation, satisfaction and guarantees of non-repetition, by Israel and by Third States that have supported its crimes. The power structures that enabled these heinous crimes must be dismantled, and the international justice system shows the way to do it.

70. The world is watching Gaza and the whole of Palestine. States must step up to their responsibilities. Only by fulfilling the Palestinian people's right to self-determination, so brazenly violated by the ongoing genocide, can enduring coercive global structures be dismantled. No state can credibly claim adherence to international law while arming, supporting or shielding a genocidal regime. All military and political support must be suspended; diplomacy should serve to prevent crimes rather than to justify them. Complicity in genocide must end.

## VI. Recommendations

71. Recalling her previous recommendations, the Special Rapporteur reminds all States of their legal obligation not to participate in or be complicit with Israeli violations, and to instead prevent and address serious breaches of international law, particularly as set out in the UN Charter and Genocide Convention.

72. Given the enduring emergency unaddressed by current "peace" discussions and plans, the Special Rapporteur urges States to cause no further harm to the Palestinian people and to:

- (a) Exert pressure for a complete and permanent ceasefire and full withdrawal of Israeli troops;
- (b) Take immediate steps to end the siege in Gaza, including deploying naval and land convoys to ensure safe humanitarian access and mobile housing before winter;
- (c) Support the re-opening of Gaza's international airport and port to facilitate aid delivery.

73. Beyond the emergency, States must recognize Palestinian self-determination and justice as essential to lasting peace and security, and therefore:

- (a) Suspend all military, trade and diplomatic relations with Israel;
- (b) Investigate and prosecute all officials, corporates and individuals involved in or facilitating genocide, incitement, crimes against humanity and war crimes and other grave breaches of international humanitarian law;
- (c) Secure reparations, including full reconstruction and return;
- (d) Cooperate fully with the International Criminal Court and the International Court of Justice;
- (e) Reaffirm and strengthen support to UNRWA and the UN system as a whole;
- (f) Suspend Israel from the United Nations under Article 6 of the UN Charter;
- (g) Act under "Uniting for Peace", in line with General Assembly resolution 377(V), to ensure that Israel dismantles its occupation.

74. The Special Rapporteur also urges trade unions, lawyers, civil society and ordinary citizens to monitor States' actions in response to these recommendations, and to continue to press institutions, governments and corporations for boycotts, divestments and sanctions, until the end of the Israeli illegal occupation and related crimes.



# Onbewerkte versie vooraf

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## tachtigste sessie

Agendapunt 72 (c)

**Bevordering en bescherming van de mensenrechten: mensenrechtensituaties  
en rapporten van speciale rapporteurs en vertegenwoordigers**

## **Situatie van de mensenrechten in de Palestijnse gebieden bezet sinds 1967**

### **Nota van de secretaris-generaal\***

De Secretaris-Generaal heeft de eer om aan de Algemene Vergadering het rapport van de Speciale Rapporteur voor de situatie van de mensenrechten in de sinds 1967 bezette Palestijnse gebieden, Francesca Albanese, over te dragen, overeenkomstig resolutie 5/1 van de Mensenrechtenraad.

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\* Het onderhavige rapport is na de deadline ter verwerking aan de conferentiediensten voorgelegd, zodat het de meest recente informatie bevat.

**Rapport van de Speciale Rapporteur over de situatie van de  
mensenrechten in de sinds 1967 bezette Palestijnse gebieden,  
Francesca Albanese**

**Genocide in Gaza: een collectieve misdaad**

*Samenvatting*

De aanhoudende genocide in Gaza is een collectieve misdaad, in stand gehouden door de medeplichtigheid van invloedrijke derde staten die de langdurige systematische schendingen van het internationaal recht door Israël mogelijk hebben gemaakt. Deze live gestreamde wreedheid, omlijst door koloniale verhalen die de Palestijnen ontmenselijken, is mogelijk gemaakt door directe steun, materiële hulp, diplomatieke bescherming en, in sommige gevallen, actieve deelname van derde staten. Het heeft een ongekende kloof blootgelegd tussen volkeren en hun regeringen, en het vertrouwen verraden waarop wereldwijde vrede en veiligheid berusten. De wereld staat nu op het randje tussen de ineenstorting van de internationale rechtsstaat en de hoop op vernieuwing. Vernieuwing is alleen mogelijk als medeplichtigheid wordt aangepakt, verantwoordelijkheden worden genomen en rechtvaardigheid wordt gehandhaafd.

## I. Inleiding

1. Zonder de directe deelname, hulp en bijstand van andere staten had de langdurige, onrechtmatige Israëlische bezetting van het Palestijnse gebied, die inmiddels is geëscaleerd tot een regelrechte genocide, niet kunnen worden volgehouden. De militaire, politieke en economische steun van sommige derde landen en de onwil om Israël ter verantwoording te roepen, hebben Israël in staat gesteld zijn regime van koloniaal-apartheid te verankeren in het bezette Palestijnse gebied (OPT), met meer koloniën, verwoestingen van huizen, bewegingsbeperkingen en het verlies en de uitroeiing van Palestijns leven. Sinds oktober 2023 heeft Israël zijn geweld tot een ongekend niveau opgevoerd.
2. In het licht van deze medeplichtigheid toont dit rapport aan dat de aanhoudende genocide op de Palestijnen moet worden begrepen als een internationaal mogelijk gemaakte misdaad. Veel staten, voornamelijk westerse, hebben de door Israël gevoerde genocidecampagne gefaciliteerd, gelegitimeerd en uiteindelijk genormaliseerd.<sup>1</sup> Door Palestijnse burgers af te schilderen als "menselijk schild"<sup>2</sup> en de bredere aanval in Gaza als een strijd van de beschaving tegen barbarij, hebben ze de Israëlische verdraaiingen van het internationaal recht en koloniale clichés gereproduceerd, in een poging hun eigen medeplichtigheid aan genocide te rechtvaardigen.
3. Het rapport richt zich op de hulp en bijstand die derde staten hebben verleend aan de illegale Israëlische bezetting en de genocide op het Palestijnse volk, en identificeert vier sectoren van steun: diplomatiek, militair, economisch en "humanitair". Elk is onmisbaar voor de voortdurende Israëlische schendingen van het internationaal recht. Diplomatieke initiatieven hebben de Israëlische bezetting genormaliseerd en hebben geen permanent staakt-het-vuren bereikt. Grootschalige militaire hulp, samenwerking en wapenleveringen, voornamelijk van en naar de Verenigde Staten en Europese staten, hebben de Israëlische overheersing over het Palestijnse volk mogelijk gemaakt. Dit heeft ook Israëlische acties vergemakkelijkt om humanitaire hulp af te bouwen en levensomstandigheden te creëren die erop gericht zijn de Palestijnen als groep te vernietigen. Economische samenwerking heeft de Israëlische economie aangewakkerd, die heeft geprofiteerd van de illegale bezetting en genocide.
4. De succesvolle maatregelen die zijn genomen tegen het apartheidsregime in Zuid-Afrika, Rhodesië, Portugal en andere koloniale regimes tonen aan dat internationaal recht kan worden gehandhaafd om rechtvaardigheid en zelfbeschikking te waarborgen. Tegenwoordig hebben derde landen dezelfde juridische en morele rechten, verplichting om deze en andere maatregelen toe te passen tegen elke staat die nog steeds koloniaal geweld en apartheid pleegt. Hun falen om Israël ter verantwoording te roepen voor zijn langdurige internationale misdaden – ondanks duidelijke bevelen van internationale rechtbanken – legt de flagrante dubbele maatstaven van de internationale gemeenschap bloot.<sup>3</sup>

## II. Methodologie

5. Het rapport is tot stand gekomen door bestudering van VN-materiaal, waaronder het rapport van secretaris-generaal A/79/588 en 40 bijdragen van zowel overheids- als niet-overheidsactoren. Alle 63 in het rapport genoemde staten kregen de gelegenheid om commentaar te leveren op feitelijke onjuistheden of onnauwkeurigheden; 18 staten dienden een reactie in.

## III. Wettelijk kader

6. Het internationaal recht legt alle staten een reeks verplichtingen op om schendingen te respecteren, te voorkomen en te beëindigen wanneer deze zich voordoen. In de context van de bezette Palestijnse Gebieden (OPT) zijn de meest relevante zijn:

<sup>1</sup> A/HRC/55/73, paragrafen 55-92.

<sup>2</sup> Neve Gordon en Nicola Perugini, *Human Shields: Een geschiedenis van mensen in de vuurlinie* (University of California Press, 2020); <https://jewishcurrents.org/human-shields-gaza-israel-a-legal-justification-for-genocide> <https://bidenwhitehouse.archives.gov/briefing-room/speeches-remarks/2023/10/20/remarks-by-president-biden-on-the-united-states-response-to-hamas-terrorist-attacks-against-israel-and-russias-ongoing-brutal-war-against-ukraine/>.

<sup>3</sup> Ardi Imseis, *De Verenigde Naties en de kwestie Palestina, rechtsstaat en de structuur van Internationale juridische subalterniteit* (Cambridge University Press, 2023).

(A) Directe verplichtingen die alle staten hebben jegens het Palestijnse volk – met name de verplichtingen om hun recht op zelfbeschikking<sup>4</sup> en vrijheid van apartheid<sup>5</sup> en genocide<sup>6</sup> te respecteren – en jegens de staat Palestina, met inachtneming van de beginselen van non-interferentie, territoriale integriteit, politieke onafhankelijkheid en zelfverdediging.<sup>7</sup>

(B) Verplichtingen *erga omnes* die voortvloeien uit een ernstige schending van dwingende normen – de verplichting om de zelfbeschikking van het volk, het verbod op genocide, rassenscheiding, apartheid en territoriale verwerving door geweld door Israël te respecteren, waaronder: (i) een positieve verplichting om individueel<sup>9</sup> en in samenwerking een einde te maken aan elke onwettige situatie door middel van wettige middelen; en negatieve plichten om (ii) de situatie die voortvloeit uit hun schending niet als wettig te erkennen, of (iii) geen hulp of bijstand te verlenen om die situatie in stand te houden.<sup>10</sup>

(C) Verplichtingen tot het nemen van de nodige zorgvuldigheid om specifieke schendingen van het internationaal recht te voorkomen, met inbegrip van de verplichtingen om: (i) genocide te voorkomen (in werking gesteld wanneer er een 'ernstig risico' ontstaat);<sup>11</sup> (ii) ervoor zorgen dat het internationale humanitaire recht<sup>12</sup> wordt gerespecteerd (in werking gesteld wanneer schendingen "waarschijnlijk of voorzienbaar" zijn<sup>13</sup>) en (iii) samenwerken om misdaden en aanvallen op internationaal beschermde personen te voorkomen.<sup>14</sup>

(D) Verplichtingen om af te zien van het verlenen van hulp of bijstand aan,<sup>15</sup> of het rechtstreeks deelnemen aan internationaal onrechtmatige handelingen van andere staten,<sup>16</sup> inclusief agressie,<sup>17</sup> apartheid<sup>18</sup> en genocide.<sup>19</sup>

7. Hoewel het internationaal recht niet voorschrijft welke specifieke acties derde landen moeten ondernemen om aan hun verplichtingen te voldoen, worden bepaalde verplichtingen wel beoordeeld op basis van de resultaten. Wanneer deze verplichtingen gedragsplichten zijn, hangt de verantwoordelijkheid van de staat af van de

<sup>4</sup> A/77/356, paragrafen 15–32.

<sup>5</sup> Verdrag inzake de onderdrukking en bestraffing van de misdaad van apartheid, artikel 1; Verdrag inzake de uitbanning van alle vormen van rassendiscriminatie (CERD), artikel 3; *Juridische gevolgen voortvloeiend uit het beleid en de praktijken van Israël in de bezette Palestijnse gebieden, met inbegrip van Oost-Jeruzalem*, Advies, 19 juli 2024, ICJ Reports 2024, par. 229.

<sup>6</sup> Genocideverdrag, Artikel I.

<sup>7</sup> VN-Handvest, artikelen 2(4), 2(7) en 51; en <https://opiniojuris.org/2025/09/24/too-little-too-late-on-the-meaning-and-consequences-of-the-recognition-of-the-state-of-palestine/>.

<sup>8</sup> *Artikelen over de verantwoordelijkheid van staten voor internationaal onrechtmatige daden*, artikel 40.

<sup>9</sup> <https://alhaqueurope.org/wp-content/uploads/2025/09/Wilde-Palestine-AO-OPT-AI-Haq-Europe-Opinion.pdf>, blz. 43–45.

<sup>10</sup> *Artikelen over de verantwoordelijkheid van staten voor internationaal onrechtmatige daden*, artikel 41; en *Juridische Gevolgen van de bouw van een muur in het bezette Palestijnse gebied*, Advies, 9 juli 2004, ICJ Reports 2004, par. 159.

<sup>11</sup> Genocideverdrag, Artikel I; *Voorbehouden bij het Verdrag inzake de voorkoming en de bestraffing van genocide*, Advies, 28 mei 1951, ICJ Reports 1951, p. 23; en *Toepassing van het Verdrag inzake de voorkoming en de bestraffing van genocide (Bosnië en Herzegovina tegen Servië en Montenegro)*, Vonnis, ICJ Reports 2007, par. 431.

<sup>12</sup> Gemeenschappelijk artikel 1 van de Geneefse Conventies; Internationaal Comité van het Rode Kruis inzake gewoonterecht van humanitaire aard, regel 144; *Juridische gevolgen van het beleid en de praktijken van Israël in de bezette Palestijnse gebieden, met inbegrip van Oost-Jeruzalem*, Advies, 19 juli 2024, ICJ Reports 2024, par. 279; en *Juridische gevolgen van de bouw van een muur in de bezette Palestijnse gebieden*, Advies, 9 juli 2004, ICJ Reports 2004, par. 159.

<sup>13</sup> *Militaire en paramilitaire activiteiten in en tegen Nicaragua (Nicaragua v. Verenigde Staten van Amerika)*, Merits, Judgment, ICJ Reports 1986, p. 130, par. 256.

<sup>14</sup> Verdrag inzake de voorkoming en bestraffing van misdaden tegen internationaal beschermde personen, inclusief diplomatieke agenten (1973), artikel 4; en A/RES/37/123.

<sup>15</sup> *Artikelen over de verantwoordelijkheid van staten voor internationaal onrechtmatige daden*, artikel 16; en *ontwerp-artikelen over de verantwoordelijkheid van internationale organisaties Artikel 14*.

<sup>16</sup> Ibid., Artikel 47; en ibid., Artikel 48.

<sup>17</sup> A/Res/3314(XXIX).

<sup>18</sup> Apartheidsverdrag, artikelen III en IV.

<sup>19</sup> Genocideverdrag, Artikel III(e).

de betrokken omstandigheden,<sup>20</sup> de ernst van de schendingen in kwestie,<sup>21</sup> de mate van invloed op de overtredende staat<sup>22</sup> en de middelen die beschikbaar zijn om die invloed uit te oefenen.<sup>23</sup> Een staat schiet tekort in zijn verplichting als hij niet alle beschikbare middelen gebruikt om deze na te komen.<sup>24</sup>

8. Bepaalde gebieden van het internationaal recht specificeren de middelen die staten ter beschikking staan en de *opinio juris* met betrekking tot verwachte maatregelen, die relevant zijn voor de beoordeling van de naleving van hun verplichtingen door derde staten. Deze omvatten:

(A) **Dwangmaatregelen:** Derde staten mogen, en moeten in sommige gevallen, geweld gebruiken tegen een staat die artikel 2(4) van het Handvest van de VN schendt, in ten minste drie omstandigheden: (i) op grond van artikel 51 van het Handvest van de VN mogen derde staten ingrijpen op verzoek van een staat die handelt uit zelfverdediging wanneer deze het slachtoffer is van een daad van agressie;<sup>25</sup> (ii) op grond van een resolutie van de VN-Veilighedsraad op grond van hoofdstuk VII van het Handvest van de VN; (iii) op grond van de resolutie *Uniting for Peace*.<sup>26</sup>

(b) **Wapenembargo's:** het Wapenhandelsverdrag verbiedt wapen- en andere militaire overdrachten wanneer bekend is of bekend had moeten zijn dat de goederen gebruikt zullen worden bij internationale misdaden.<sup>27</sup> Het vereist ook risicobeoordelingen om overdrachten te voorkomen wanneer er sprake is van overheersende risico's voor de internationale vrede en veiligheid of van ernstige schendingen van de internationale mensenrechten en het humanitair recht.<sup>28</sup> Verboden gelden ook voor doorvoer en overslag.<sup>29</sup>

(c) **Handelsembargo's:** verdragen onder de Wereldhandelsorganisatie staan staten toe af te wijken van de kernbeginselen van de handel, zoals de meest begunstigde natie, om te voldoen aan hun verplichtingen uit het Handvest van de VN met betrekking tot internationale vrede en veiligheid, inclusief dwingende normen.<sup>30</sup> Bilaterale vrijhandelsovereenkomsten<sup>31</sup> en investeringsverdragen<sup>32</sup> met Israël bevatten doorgaans soortgelijke clausules, en argumenten op het gebied van de mensenrechten zijn in internationale arbitrageprocedures verdedigd.<sup>33</sup>

<sup>20</sup> *Verplichtingen van staten met betrekking tot klimaatverandering*, Advies, 23 juli 2025, ICJ Reports 2025, para 137, 247.

<sup>21</sup> *Ibid.*, par. 283; Internationaal Hof voor het Recht van de Zee, *Verzoek om een Advies ingediend door de Commissie van Kleine Eilandstaten inzake Klimaatverandering en Internationaal Recht*, ITLOS Zaak nr. 31, Advies, 21 mei 2024, par. 239; en "50. De verplichting van derde staten om genocide te voorkomen" (*Adviescommissie inzake vraagstukken van publiekrecht*, 2025), p. 7.

<sup>22</sup> *Toepassing van het Verdrag inzake de voorkoming en de bestraffing van genocide (Bosnië en Herzegovina tegen Servië en Montenegro)*, uitspraak, ICJ Reports 2007, par. 430; en het Internationaal Comité van het Rode Kruis over het bijgewerkte commentaar op artikel 1 van het Eerste Verdrag van Genève (2016), paragrafen 164-168.

<sup>23</sup> *Toepassing van het Verdrag inzake de voorkoming en de bestraffing van genocide (Bosnië en Herzegovina tegen Servië en Montenegro)*, uitspraak, ICJ Reports 2007, par. 431.

<sup>24</sup> *Verplichtingen van staten met betrekking tot klimaatverandering*, Advies, 23 juli 2025, ICJ Reports 2025, par. 208; *Ibid* (Bosnië v. Servië), par. 430-431; ICRC over Bijgewerkt commentaar op het Eerste Verdrag van Genève (2016) Artikel 1, par. 165.

<sup>25</sup> A/RES/3314 (XXIX); <https://verfassungsblog.de/a-seismic-change/>; *Militaire en paramilitaire Activiteiten in en tegen Nicaragua (Nicaragua tegen de Verenigde Staten van Amerika)*, Verdiensten, Oordeel, IGH Rapporten 1986, par. 191.

<sup>26</sup> A/RES/377( V ); <https://mondoweiss.net/2025/08/how-the-un-could-act-today-to-stop-the-genocide-in-palestine/>

<sup>27</sup> Wapenhandelsverdrag (ATT) Artikel 6; en [https://www.thearmstradetreaty.org/hyper-images/file/ATT\\_CSP10\\_WGETI\\_Voluntary%20Guide%20to%20Implementatie%20Artikelen%206%20&%207%20van%20de%20ATT\\_EN/ATT\\_CSP10\\_WGETI\\_Voluntary%20Gids%20tot%20Implementerend%20Articles%206%20&%207%20of%20the%20ATT\\_NL.pdf](https://www.thearmstradetreaty.org/hyper-images/file/ATT_CSP10_WGETI_Voluntary%20Guide%20to%20Implementatie%20Artikelen%206%20&%207%20van%20de%20ATT_EN/ATT_CSP10_WGETI_Voluntary%20Gids%20tot%20Implementerend%20Articles%206%20&%207%20of%20the%20ATT_NL.pdf), pp 18.

<sup>28</sup> Wapenhandelsverdrag (ATT) Artikel 7.

<sup>29</sup> *Ibid.* Artikel 2.

<sup>30</sup> Gemeenschappelijk artikel XXI(c) van de Algemene Overeenkomst inzake Handel en Tarieven (GATT) 1947 en de Algemene Overeenkomst inzake Handel en Tarieven (GATT) 1994; Algemene Overeenkomst inzake Handel in Diensten (GATS) Artikel XIV bis(1)(c); en [www.wto.org/english/res\\_e/booksp\\_e/gatt\\_ai\\_e/art21\\_e.pdf](http://www.wto.org/english/res_e/booksp_e/gatt_ai_e/art21_e.pdf).

<sup>31</sup> Vrijhandelsovereenkomst tussen de VS en Israël (1985), artikel 7; Vrijhandelsovereenkomst tussen Canada en Israël (1997), artikel 20.1; Vrijhandelsovereenkomst tussen Mercosur en Israël (2009-10), Artikel 1; Associatieovereenkomst EU-Israël (2000), Artikelen 27, 76.

<sup>32</sup> Israël-VAE BIT (2020), artikel 14.4; Israël-Japan BIT (2017), artikel 15.2; Guatemala-Israël BIT (2006), artikel 7.1; beschikbaar op <https://investmentpolicy.unctad.org/international-investment-agreements/countries/102/israel>; en [www.law4palestine.org/wp-content/uploads/2025/04/L4P\\_Third-State-Economic-Responsibility-Booklet-PDF.pdf](http://www.law4palestine.org/wp-content/uploads/2025/04/L4P_Third-State-Economic-Responsibility-Booklet-PDF.pdf), pp. 34-38

<sup>33</sup> Federica Violi, "Navigeren door de verantwoordingsplicht van ondernemingen in het internationaal economisch recht: een kritisch overzicht", in *Handbook of Accountability Studies: Politics, Law, Business, Work*, Ioannis Papadopoulos en anderen, red. (Elgar Publishing, verschijnt in 2026).

Voor zover bilaterale overeenkomsten dwingende normen schenden of een ernstige schending daarvan inhouden, zijn ze nietig.<sup>34</sup>

(d) **Ontzegging van veilige doorvaart:** het Verdrag inzake het recht van de zee staat staten toe om "niet-onschuldige doorvaart" te verhinderen wanneer de doorvaart van een schip niet "in overeenstemming is met de regels van het internationaal recht",<sup>35</sup> en het risico bestaat dat de staat medeplichtig wordt aan internationale misdaden, schendingen van verplichtingen uit het VN-Handvest of dwingende normen.<sup>36</sup>

(e) **Vervolg en bestraffing:** op grond van de Geneefse Conventies en het gewoonterecht hebben alle staten de plicht om genocide, misdaden tegen de menselijkheid, oorlogsmisdaden en marteling te vervolgen en te bestraffen, ongeacht hun verband met de misdaad.<sup>37</sup> Derde staten hebben ook de plicht om derde partijen, waaronder bedrijven, ter verantwoording te roepen voor mensenrechtenschendingen en andere schendingen van het internationaal recht in hun nationale rechtbanken.<sup>38</sup>

9. Een context van aanhoudende en elkaar kruisende schendingen van dwingende normen, en de verplichting om genocide te voorkomen, versterken de noodzaak om te handelen. Dit kan betekenen dat de maatregelen die derde staten moeten nemen om aan hun verplichtingen te voldoen niet langer discretionair zijn, en dat staten, door deze niet te nemen, hebben nagelaten alle redelijkerwijs beschikbare maatregelen te nemen en/of hebben bijgedragen aan een internationaal onrechtmatige daad.<sup>39</sup> Tenzij minder ingrijpende maatregelen, gebaseerd op de beoordeling in paragraaf 8, daadwerkelijk zouden volstaan.

10. Het gedrag van staten en internationale organisaties vormt medeplichtigheid wanneer hun handelingen op een manier helpen en assisteren die: (1) het plegen van de onrechtmatige daad materieel of substantieel mogelijk maakt of vergemakkelijkt; (2) worden uitgevoerd met volledige kennis van de omstandigheden, met inbegrip van het op handen zijnde of daadwerkelijk plaatsvinden van de onrechtmatige daad en, waar relevant, de speciale bedoeling van de dader.

11. Medeplichtigheid van de staat is vastgesteld wanneer er een verband bestaat tussen de handelingen van de twee staten in kwestie bij de ernstige schending van dwingende normen.<sup>42</sup> Een dergelijke medeplichtigheid kan het volgende omvatten:

<sup>34</sup> Verdrag van Wenen inzake het verdragenrecht, artikel 53; en A/77/10 (2022) Conclusie 10, p.13.

<sup>35</sup> Verdrag inzake het recht van de zee, artikel 19(1), met artikel 17;  
[https://bdsmovement.net/sites/default/files/2025-03/ASCOMARE procent20Juridisch procent20Mening procent20\\_ procent20Onschuldig procent20Passage procent20en procent20Verschuldigd procent20Diligence.pdf](https://bdsmovement.net/sites/default/files/2025-03/ASCOMARE%20procent20Juridisch%20procent20Mening%20procent20Onschuldig%20procent20Passage%20en%20procent20Verschuldigd%20Diligence.pdf), par. 44.

<sup>36</sup> Verdrag inzake het recht van de zee, artikelen 2(1) en 19(1).

<sup>37</sup> Geneefse Conventie I, artikel 49; en Geneefse Conventie IV, artikelen 146-148.

<sup>38</sup> *Juridische gevolgen voortvloeiend uit het beleid en de praktijken van Israël in de bezette Palestijnse gebieden, inclusief Oost-Jeruzalem*, Advies, 19 juli 2024, ICJ Reports 2024, par. 278, Leidraad van de Verenigde Naties inzake bedrijfsleven en mensenrechten, Principes 1, 2 en 25; en A/RES/ES-10/24, Artikel 5; [https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/coiopt/2024-10-18-COI-position-paper\\_co-israel.pdf](https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/coiopt/2024-10-18-COI-position-paper_co-israel.pdf), par. 30-31, 33. [www.justsecurity.org/120757/sanctions-against-israel-an-international-law-perspective/](https://www.justsecurity.org/120757/sanctions-against-israel-an-international-law-perspective/);

<sup>39</sup> [https://bdsmovement.net/sites/default/files/2025-03/ASCOMARE procent20Juridisch procent20Mening procent20\\_ procent20Onschuldig procent20Passage procent20en procent20Verschuldigd procent20Diligence.pdf](https://bdsmovement.net/sites/default/files/2025-03/ASCOMARE%20Juridisch%20procent20Mening%20procent20Onschuldig%20procent20Passage%20en%20procent20Verschuldigd%20Diligence.pdf), paragrafen 66, 86-88; [www.law4palestine.org/wp-content/uploads/2025/04/L4P\\_Third-State-Economic-Responsibility-Booklet-PDF.pdf](https://www.law4palestine.org/wp-content/uploads/2025/04/L4P_Third-State-Economic-Responsibility-Booklet-PDF.pdf), pp. 7 en 51. [https://](https://legal.un.org/ilc/texts/instruments/english/commentaries/9_6_2001.pdf)

<sup>40</sup> [legal.un.org/ilc/texts/instruments/english/commentaries/9\\_6\\_2001.pdf](https://legal.un.org/ilc/texts/instruments/english/commentaries/9_6_2001.pdf), pp. 66, paragraaf 5; Vladyslav Lanovoy, "Verantwoordelijkheid voor medeplichtigheid aan een internationaal onrechtmatige daad: een herziening van een structurele norm" (2011) Paper gepresenteerd op de SHARES-conferentie "Foundations of Shared Responsibility in International Law", 17 en 18 november 2011, Amsterdam, pp. 16-20; Phoebe Okowa, *Staatsverantwoordelijkheid voor grensoverschrijdende luchtverontreiniging in het internationaal recht* (Oxford, Oxford University Press, 2001), p. 188.

<sup>41</sup> *Artikelen over de verantwoordelijkheid van staten voor internationaal onrechtmatige daden, artikel 16; Toepassing van het Verdrag inzake de voorkoming en de bestraffing van genocide (Bosnië en Herzegovina v. Servië en Montenegro)*, vonnis, 6 februari 2007, ICJ Reports 2007, paras. 421, 432, 436, zie ook Verklaring van rechter Bennouna, p. 361; Marko Milanović, "State Responsibility for Genocide: A Follow-Up", in *European Journal of International Law* (2007), vol. 18(4), pp. 669-694, p. 687.

<sup>42</sup> *Toepassing van het Verdrag inzake de voorkoming en de bestraffing van genocide (Bosnië en Herzegovina tegen Servië en Montenegro)*, Vonnis, 26 februari 2007, ICJ Reports 2007, para. 420; *Juridische gevolgen voortvloeiend uit het beleid en de praktijken van Israël in de bezette Palestijnse gebieden, met inbegrip van Oost-Jeruzalem*, Advies, ICJ Reports 2024, 19 juli 2024, par. 279; *Verplichtingen van staten met betrekking tot klimaatverandering*, Advies, 23 juli 2025, ICJ Reports 2025.

het verstrekken of weigeren van fondsen, wapens, brandstof, inlichtingen, diplomatieke of politieke druk of sancties, of de uitvoering van bevelen en aanhoudingsbevelen.<sup>43</sup> De intentie van een derde staat om een onrechtmatige daad te faciliteren, kan redelijkerwijs worden afgeleid uit de voorzienbare gevolgen van de acties van die staat.<sup>44</sup> Bijstand zoals het verstrekken van fondsen, wapens, brandstof en inlichtingen en andere minder tastbare acties (diplomatieke erkenning, sancties, niet-nakoming van verplichtingen en van gerechtelijke bevelen) kunnen staten die internationaal onrechtmatige daden plegen, aanzienlijk beïnvloeden. Kennis van het beleid van een staat, onder meer via officiële relaties, kan relevante gevolgtrekkingen informeren.<sup>45</sup> Hoewel individuele acties op zichzelf geen medeplichtigheid hoeven te vormen, moeten hun gezamenlijke en cumulatieve effect in de loop van de tijd, ook in combinatie met de acties van andere staten, worden meegenomen in de beoordeling.<sup>46</sup>

12. Wanneer het gedrag van derde staten direct, onmisbaar en constitutief is (d.w.z. zonder dit gedrag zou het resultaat geheel of gedeeltelijk niet zijn opgetreden), moet worden nagegaan of staten verder zijn gegaan dan hulp en/of bijstand om gezamenlijk deel te nemen aan een internationaal onrechtmatige daad.<sup>47</sup> Net als bij een gezamenlijke criminele onderneming onder individuele strafrechtelijke aansprakelijkheid,<sup>48</sup> is het niet nodig om vast te stellen dat één staat de onrechtmatige daad in zijn geheel pleegt, alleen dat hun bijdrage een constituerend element is van de misdaad en toerekenbaar is aan de staat.<sup>49</sup> Directe aansprakelijkheid van een staat voor genocide kan ontstaan wanneer (a) gedrag dat aan een staat kan worden toegerekend integraal deel uitmaakt van het plegen van een of meer genocidale daden, en (b) de staat genocidale intenties ontwikkelde op basis van de totaliteit van het gedrag dat aan hem kan worden toegerekend.<sup>50</sup>

De Israëlische schendingen in het bezette gebied zijn al tientallen jaren aan de gang.<sup>51</sup> Op 13 oktober 2004 heeft het Internationaal Gerechtshof (ICJ) in zijn *Wall Advisory Opinion* de internationale gemeenschap op de hoogte gesteld van haar verplichtingen om een einde te maken aan ernstige schendingen van dwingende normen van het internationaal recht.<sup>52</sup> Op 6 oktober 2023 heeft Israël het recht op zelfbeschikking van het Palestijnse volk al lang ontkend<sup>53</sup> door middel van bezetting, annexatie en onrechtmatig geweldgebruik,<sup>54</sup> door de controle over Palestijnse levens te behouden door middel van een raciaal discriminerend en

<sup>43</sup> *Artikelen over de verantwoordelijkheid van staten voor internationaal onrechtmatige daden*, artikelen 16-18. [www.icc-cpi.int/news/situation-state-palestine-icc-pre-trial-chamber-i-rejects-state-israels-challenges](http://www.icc-cpi.int/news/situation-state-palestine-icc-pre-trial-chamber-i-rejects-state-israels-challenges).

<sup>44</sup> Miles Jackson, *Medeplichtigheid in het internationaal recht* (Oxford, Oxford University Press, 2015) p. 160; *Toepassing van het Verdrag inzake de voorkoming en de bestraffing van genocide (Bosnië en Herzegovina tegen Servië en Montenegro)*, vonnis, 6 februari 2007, ICJ Reports 2007, zie Verklaring van rechter Bennouna, pp. 361-363; en Vladyslav Lanovoy, "Verantwoordelijkheid voor medeplichtigheid aan een internationaal onrechtmatige daad: herziening van een structurele norm" (2011), paper gepresenteerd op de SHARES-conferentie "Foundations of Shared Responsibility in International Law", 17 en 18 november 2011, Amsterdam, pp. 24.

<sup>45</sup> *Artikelen over de verantwoordelijkheid van staten voor internationaal onrechtmatige daden*, artikel 15.

<sup>46</sup> Ibid.

<sup>47</sup> *Artikelen over de verantwoordelijkheid van staten voor internationaal onrechtmatige daden (ARSIWA)*, artikel 47; Commissie voor Internationaal Recht, *ARSIWA* -commentaar op Deel Een, Hoofdstuk IV, p. 64, paragrafen 1-3; Commissie voor Internationaal Recht, *ARSIWA* -commentaar op Artikel 47, p. 124, paragrafen 2; en *Concept-artikelen over de verantwoordelijkheid van internationale organisaties*, Artikel 48.

<sup>48</sup> Internationaal Straftribunaal voor Joegoslavië, *Aanklager tegen Krstić*, zaak nr. IT-98-33-T, 2 augustus 2001, paragraaf 642.

<sup>49</sup> Christian Dominicé, "Hoofdstuk 20: Toeschrijving van gedrag aan meerdere staten en de implicatie van een staat in de handeling van een andere staat", in James Crawford (red.) et al., *The Law of International Responsibility* (Oxford, Oxford University Press, 2010), pp. 282-283.

<sup>50</sup> Genocideverdrag, Artikel III, *Artikelen over de verantwoordelijkheid van staten voor internationaal onrechtmatige daden*, artikelen 2, 15, A/79/384, paragrafen 76 en 77.

<sup>51</sup> *Juridische gevolgen van de bouw van een muur in het bezette Palestijnse gebied*, Advies, 9 juli 2004, ICJ Reports 2004; A/HRC/50/21.

<sup>52</sup> *Juridische gevolgen van de bouw van een muur in het bezette Palestijnse gebied*, Advies, 9 juli 2004, ICJ Reports 2004, paras. 142 en 159.

<sup>53</sup> A/RES/2535 (XXIV)AC; A/RES/2649 (XXV); A/RES/3236 (XXIX); A/RES/43/177; A/RES/48/94; S/RES/2334; A/77/356; en A/RES/78/192.

<sup>54</sup> S/RES/478; A/RES/76/12; A/74/507; en <https://badil.org/phocadownloadpap/badil-new/publications/research/in-focus/EtzionBloc-IsraeliAnnexation.pdf>.

apartheidssysteem.<sup>55</sup> De illegale blokkade van Gaza,<sup>56</sup> verergerd door regelmatige militaire aanvallen met oorlogsmisdaden en misdaden tegen de menselijkheid,<sup>57</sup> heeft de Gazastrook "onleefbaar" gemaakt,<sup>58</sup> de situatie voorbereiden op genocide.<sup>59</sup>

14. In de afgelopen twee jaar zijn de Israëlische misdaden dramatisch geëscaleerd. Tegen 20 oktober 2023 waarschuwden experts op het gebied van internationaal recht,<sup>60</sup> genocide-experts<sup>61</sup> en mensenrechtenorganisaties<sup>62</sup> voor een dreigende genocide. Op 26 januari 2024 bevestigde het IGH het ernstige risico van genocide in Gaza, wat leidde tot de verplichting voor staten om dit te voorkomen en opruiing, medeplichtigheid of medeplichtigheid te bestraffen.<sup>63</sup> Tegen mei 2024 had het Hof twee verdere bevelen tot voorlopige maatregelen uitgevaardigd<sup>64</sup> en juridische opmerkingen gemaakt in de *zaak Nicaragua tegen Duitsland*.<sup>65</sup> De aanklager van het ICJ had arrestatiebevelen aangevraagd voor hoge Israëlische functionarissen,<sup>66</sup> en derde staten hadden "werkelijke of constructieve kennis" van de voortdurende internationale misdaden die zij niet hadden kunnen voorkomen, wat leidde tot een verhoogde verantwoordelijkheid om op te treden.<sup>67</sup>

15. In juli 2024, twintig jaar na zijn *Wall Advisory Opinion* van 2004, oordeelde het IGH dat de voortdurende aanwezigheid van Israël in de bezette Palestijnse gebieden in zijn geheel onrechtmatig was en dat Israël verplicht was zich volledig, onvoorwaardelijk en zo snel mogelijk terug te trekken.<sup>68</sup> De Algemene Vergadering van de VN verklaarde vervolgens dat de bezetting uiterlijk op 18 september 2025 moest zijn beëindigd.<sup>69</sup> Israël heeft dit nagelaten.

16. Op 16 september 2025 concludeerde de onderzoekscommissie van de VN dat Israël genocide pleegt in de Gazastrook. Daarmee werden de verplichtingen van alle staten bevestigd om genocide te voorkomen, te stoppen met het plegen en/of helpen en assisteren bij genocide en degenen die genocide plegen en/of aanzetten tot genocide te straffen.<sup>70</sup>

<sup>55</sup> A/HRC/49/87, par. 52.

<sup>56</sup> A/68/502, paragrafen 7-16; A/HRC/25/40, paragrafen 24-30; A/HRC/40/CRP.2, paragrafen 150-194; S/RES/1860; [https://mezan.org/uploads/upload\\_center/kLakShfIAra2.pdf](https://mezan.org/uploads/upload_center/kLakShfIAra2.pdf); [https://corjustice.org/sites/default/files/attach/2016/11/GAZA\\_percent20CLOSURE\\_percent20FOR\\_percent20ICC\\_percent20November\\_percent2022\\_percent202016.pdf](https://corjustice.org/sites/default/files/attach/2016/11/GAZA_percent20CLOSURE_percent20FOR_percent20ICC_percent20November_percent2022_percent202016.pdf); en [https://reliefweb.int/report/occupied-palestinian-territory/opt-gaza\\_percent20C2\\_percent20closure-not-another-year](https://reliefweb.int/report/occupied-palestinian-territory/opt-gaza_percent20C2_percent20closure-not-another-year).

<sup>57</sup> A/HRC/12/48, par. 1332-1335; A/HRC/40/CRP.2.

<sup>58</sup> A/HRC/37/75, par. 6.

<sup>59</sup> A/RES/37/123(D); Martin Shaw, *Palestina in een internationaal historisch perspectief op genocide*, vol. 9, nr. 1, *Holy Land Studies* (2010), pp. 1-24; en Haider Eid, *Banging on the Walls of the Tank: Dispatches from Gaza* (Toronto, *Between the Lines*, 2025) pp. 61-65. [www.un.org/unispal/document/gaza-un-experts-decry-bombing-of-hospitals-and-schools-as-crimes-against-humanity-call-for-prevention-of-genocide/](http://www.un.org/unispal/document/gaza-un-experts-decry-bombing-of-hospitals-and-schools-as-crimes-against-humanity-call-for-prevention-of-genocide/).

<sup>60</sup> <https://twailr.com/public-statement-scholars-warn-of-potential-genocide-in-gaza/>; en <https://jewishcurrents.org/a-textbook-case-of-genocide>. [www.alhaq.org/advocacy/21898.html](http://www.alhaq.org/advocacy/21898.html); [www.fidh.org/en/region/north-africa-middle-east/israel-palestine/mass-displacement-attempts-of-over-1-million-people-in-the-gaza-strip](http://www.fidh.org/en/region/north-africa-middle-east/israel-palestine/mass-displacement-attempts-of-over-1-million-people-in-the-gaza-strip); <https://corjustice.org/israel-s-unfolding-crime-genocide-palestinian-people-us-failure-prevent-and-complicity-genocide>.

<sup>61</sup> <https://jewishcurrents.org/a-textbook-case-of-genocide>. [www.alhaq.org/advocacy/21898.html](http://www.alhaq.org/advocacy/21898.html); [www.fidh.org/en/region/north-africa-middle-east/israel-palestine/mass-displacement-attempts-of-over-1-million-people-in-the-gaza-strip](http://www.fidh.org/en/region/north-africa-middle-east/israel-palestine/mass-displacement-attempts-of-over-1-million-people-in-the-gaza-strip); <https://corjustice.org/israel-s-unfolding-crime-genocide-palestinian-people-us-failure-prevent-and-complicity-genocide>.

<sup>62</sup> <https://corjustice.org/israel-s-unfolding-crime-genocide-palestinian-people-us-failure-prevent-and-complicity-genocide>.

<sup>63</sup> A/HRC/60/CRP.3, paragraaf 249.

<sup>64</sup> *Toepassing van het Verdrag inzake de voorkoming en de bestraffing van genocide in de Gazastrook (Zuid-Afrika tegen Israël)*, voorlopige maatregelen, beschikking van 26 januari 2024, ICJ Reports 2024, p. 30, par. 86; en *Toepassing van het Verdrag inzake de voorkoming en de bestraffing van genocide in de Gazastrook (Zuid-Afrika tegen Israël)*, verzoek om wijziging van de beschikking van 28 maart 2024, beschikking van 24 mei 2024, ICJ Reports 2024, par. 57.

<sup>65</sup> *Veronderstelde schendingen van bepaalde internationale verplichtingen met betrekking tot het bezette Palestijnse gebied (Nicaragua v. Duitsland)*, beschikking, 30 april 2024, ICJ Reports 2024, par. 24.

<sup>66</sup> [www.icc-cpi.int/news/situation-state-palestine-icc-pre-trial-chamber-i-rejects-state-israels-challenges](http://www.icc-cpi.int/news/situation-state-palestine-icc-pre-trial-chamber-i-rejects-state-israels-challenges).

<sup>67</sup> *Artikelen over de verantwoordelijkheid van staten voor internationaal onrechtmatige daden*, artikel 16; *Toepassing van het Verdrag inzake de voorkoming en de bestraffing van genocide (Bosnië en Herzegovina v. Servië en Montenegro)*, vonnis, 6 februari 2007, ICJ Reports 2007, zie Verklaring van rechter Bennouna, p. 361; Marko Milanović, "State Responsibility for Genocide: A Follow-Up", in *European Journal of International Law* (2007), vol. 18(4), pp. 669-694, p. 687.

<sup>68</sup> *Juridische gevolgen voortvloeiend uit het beleid en de praktijken van Israël in de bezette Palestijnse gebieden, met inbegrip van Oost-Jeruzalem*, Advies, 19 juli 2024, ICJ Reports 2024, paras. 267-272 en 285.

<sup>69</sup> A/RES/ES-10/24.

<sup>70</sup> A/HRC/60/CRP.3, paragrafen 246-250.



17. Deze ontwikkelingen bevestigen de ernst van de schendingen van dwingende normen en de daarmee gepaard gaande wettelijke verplichtingen voor alle staten om op te treden, met twee implicaties voor de beoordeling van de verantwoordelijkheid van derde staten:

(A) Kruisende taken moeten in hun geheel worden beoordeeld en vormen voor alle staten de verplichting om maatregelen te nemen, met inbegrip van de maatregelen die in paragraaf 8 worden genoemd, om aan hun verplichtingen te voldoen.

(b) Volgens de huidige wetgeving<sup>71</sup> maakt de omvang van Israël's onrechtmatige acties elk onderscheid tussen Israël en de bezette Palestijnse Gebieden juridisch en praktisch onmogelijk. Volgens de due diligence-tests die in het Advies van 2024 zijn uiteengezet,<sup>72</sup> moeten derde staten, indien Israël zelf niet bereid of in staat is onderscheid te maken tussen zijn grondgebied en de bezette Palestijnse Gebieden, zoals het geval is, ervan uitgaan dat er geen onderscheid kan worden gemaakt, hetgeen een alomvattende boycot van Israël vereist.

18. In de context van langdurige agressie, ontkenning van zelfbeschikking en gruwelijke internationale misdaden kan er geen redelijke twijfel over bestaan dat staten die betrekkingen met Israël onderhouden hiervan op de hoogte zijn. Decennia van verwaarlozing door derde staten en het niet nakomen van hun verplichtingen hebben de voorwaarden geschapen voor hun medeplichtigheid aan voortdurende Israëlische misdaden. De volgende paragrafen analyseren de schendingen van derde staten holistisch en onderzoeken het verband tussen overlappende componenten van genocide en het gedrag van staten.

#### IV. Samenhangende componenten van de genocide in Gaza

##### A. Genocide onder het mom van diplomatieke en politieke acties

19. Langdurige politieke en diplomatieke steun van invloedrijke derde staten heeft Israël in staat gesteld zijn aanval op het Palestijnse volk te initiëren en vol te houden. In de afgelopen twee jaar, Diepgewortelde medeplichtigheid, gekenmerkt door narratieve manipulaties en reproductie van Israëlische verzinsels, heeft de dringende oproepen tot actie gedempt en het web van politieke, financiële en militaire belangen dat op het spel staat, vertroebeld. Het langdurige falen om de flagrante schendingen van het internationaal recht door Israël aan te pakken – die de internationale vrede en veiligheid bedreigen – heeft de betrekkingen met het land genormaliseerd en verdiept, en onderdrukking, overheersing en uitroeiing verstevigd.

20. Na 7 oktober 2023 herhaalden de meeste westerse leiders de Israëlische verhalen, verspreid door de staats- en bedrijfsmedia, waarbij ze ontkrachten beweringen herhaalden en de fundamentele verschillen tussen strijders en burgers uitvaagden. Israëliërs werden afgeschilderd als "burgers" en "gijzelaars", en Palestijnen als "Hamas-terroristen", "legitieme" of "collaterale" doelen, "menselijke schilders" of rechtmatig vastgehouden "gevangenen". Voortbouwend op een lange geschiedenis van "barbaren" die de bescherming van het internationaal recht werd ontzegd, nieuw leven ingeblazen door het War on Terror-discours,<sup>73</sup> droegen westerse staten bij aan het rechtvaardigen van de genocide op Palestijnen. Op 9 oktober 2023, direct nadat Israël een verscherpte blokkade van Gaza had aangekondigd, spraken belangrijke westerse leiders hun steun uit voor de 'zelfverdediging' van Israël<sup>74</sup> – ongerechtvaardigd volgens artikel 51 van het VN-Handvest.<sup>75</sup> President Biden citeerde herhaaldelijk ongefundeerde berichten over 'onthoofde baby's'.<sup>76</sup> De Britse oppositieleider Keir Starmer verdedigde het recht van Israël om water en elektriciteit af te sluiten voor burgers.<sup>77</sup>

21. Deze omgeving wakkerde een hevige Israëlische aanval aan. Zelfs te midden van dringende oproepen tot een staakt-het-vuren pleitten westerse staten, onder leiding van de Verenigde Staten, alleen voor humanitaire hulp.

<sup>71</sup> VN-Veilighedsraad 2334, par. 5; Advies van het Internationaal Gerechtshof 2024.

<sup>72</sup> [www.ohchr.org/en/statements-and-speeches/2024/09/un-experts-warn-international-order-knives-edge-urge-states-comply](https://www.ohchr.org/en/statements-and-speeches/2024/09/un-experts-warn-international-order-knives-edge-urge-states-comply) ; [www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/coiopt/2024-10-18-COI-position-paper\\_co-israel.pdf](https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/coiopt/2024-10-18-COI-position-paper_co-israel.pdf)

<sup>73</sup> Anghie, Antony. *Imperialisme, soevereiniteit en de totstandkoming van het internationaal recht*. Cambridge: Cambridge University Press, 2005.

<sup>74</sup> <https://it.usembassy.gov/joint-statement-on-israel/>; [www.theguardian.com/world/2023/oct/09/uk-us-and-allies-offer-israel-steadfast-support-in-joint-statement](https://www.theguardian.com/world/2023/oct/09/uk-us-and-allies-offer-israel-steadfast-support-in-joint-statement).

<sup>75</sup> VN-Handvest, artikel 51.

<sup>76</sup> <https://bidenwhitehouse.archives.gov/briefing-room/speeches-remarks/2023/10/11/remarks-by-president-biden-and-second-gentleman-douglas-emhoff-at-roundtable-with-jewish-community-leaders/>; [www.washingtonpost.com/politics/2023/11/22/biden-yet-again-says-hamas-beheaded-babies-has-new-evidence-emerged](https://www.washingtonpost.com/politics/2023/11/22/biden-yet-again-says-hamas-beheaded-babies-has-new-evidence-emerged).

<sup>77</sup> [www.lbc.co.uk/article/sir-keir-starmer-hamas-terrorism-israel-defend-itself-DWzhBf\\_2/](https://www.lbc.co.uk/article/sir-keir-starmer-hamas-terrorism-israel-defend-itself-DWzhBf_2/).

“corridors”, “pauzes” en “wapenstilstanden” – waarmee een permanent staakt-het-vuren werd omzeild en de voortzetting van het geweld werd verzekerd.<sup>78</sup> Staten gingen de situatie weer zien als een humanitaire crisis die beheerd moest worden in plaats van opgelost, door te eisen dat Israël eens en voor altijd een einde zou maken aan zijn onrechtmatige bezetting, waardoor er meer ruimte ontstond voor een aanval op Gaza.

22. Na oktober 2023 maakten de Verenigde Staten zeven keer gebruik van hun vetorecht in de VN-Veiligheidsraad,<sup>79</sup> waarmee ze de onderhandelingen over het staakt-het-vuren controleerden en diplomatieke dekking boden voor de Israëlische genocide. De VS hebben niet alleen gehandeld. Onthoudingen, vertragingen, afgezwakte ontwerp-resoluties en een simplistische retoriek van “evenwicht” versterkten de diplomatieke bescherming en het politieke verhaal dat Israël nodig had om de genocide voort te zetten. Het Verenigd Koninkrijk bleef tot november 2024 achter het Amerikaanse standpunt staan.<sup>80</sup> Een blok van westerse staten – Australië, Nieuw-Zeeland en Canada, soms aangevuld door het VK, Duitsland of Nederland – Soms leken ze bereid Israël onder druk te zetten, zoals in december 2023, toen hun verklaringen momentum gaven voor een staakt-het-vuren. Hun introductie van de term “aanhoudende wapenstilstand” leidde echter tot een afgezwakte resolutie van de VN-Veiligheidsraad, die de uitvoering vertraagde.<sup>81</sup> In februari 2024 bekritiseerden ze de geplande invasie van Rafah, terwijl ze tegelijkertijd de financiering van de VN-hulporganisatie (UNRWA) introkken.<sup>82</sup> Dergelijke diplomatie creëerde een illusie van vooruitgang, terwijl concrete acties herhaaldelijk werden tegengehouden.<sup>83</sup>

23. Sancties hadden een vergelijkbare functie. In 2024 legden Australië, Canada, de EU, Nieuw-Zeeland en het VK sancties op aan enkele extremistische kolonisten en organisaties,<sup>84</sup> en in juni 2025 werden de Israëlische ministers Itamar Ben-Gvir en Bezalel Smotrich gesanctioneerd door Australië, Canada, Noorwegen en het VK.<sup>85</sup> Toch worden dergelijke geïsoleerde acties in feite het Israëlische staatsstelsel en de structuren als geheel goedgekeurd.

24. Arabische en islamitische staten steunen de Palestijnse zaak al lang. Drie gezamenlijke Arabisch-islamitische topconferenties<sup>86</sup> en verschillende buitengewone bijeenkomsten over Palestina<sup>87</sup> hebben geleid tot een aantal collectieve inspanningen, waaronder het Arabische Plan<sup>88</sup>. Desondanks zijn deze acties niet succesvol gebleken.

<sup>78</sup> S/2023/772 (16 oktober 2023); S/2023/773 (18 oktober 2023); S/2023/S/792 (25 oktober 2023); S/RES/2712 (15 november 2023); [www.theguardian.com/world/2023/nov/05/ceasefire-or-humanitarian-pause-the-bitter-debate-on-the-best-route-to-peace](https://www.theguardian.com/world/2023/nov/05/ceasefire-or-humanitarian-pause-the-bitter-debate-on-the-best-route-to-peace)

<sup>79</sup> Dit omvat S/2023/772 (16 oktober 2023).

<sup>80</sup> S/2024/835; [www.securitycouncilreport.org/atf/ct/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Stem\\_Midden\\_Oosten\\_groot-2.png](https://www.securitycouncilreport.org/atf/ct/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Stem_Midden_Oosten_groot-2.png).

<sup>81</sup> [www.pm.gc.ca/en/news/statements/2023/12/12/joint-statement-prime-ministers-australia-canada-and-new-zealand](https://www.pm.gc.ca/en/news/statements/2023/12/12/joint-statement-prime-ministers-australia-canada-and-new-zealand); zie ook A/RES/ES-10/22 (12 december 2023); S/2023/970 (8 december 2023); overweeg: S/RES/2720 (22 december 2023); [www.securitycouncilreport.org/whatsinblue/2023/12/the-middle-east-inclusive-the-palestinian-question-vote-on-a-draft-resolution-2.php](https://www.securitycouncilreport.org/whatsinblue/2023/12/the-middle-east-inclusive-the-palestinian-question-vote-on-a-draft-resolution-2.php)

<sup>82</sup> [www.pm.gov.au/media/joint-statement-prime-ministers-australia-canada-and-new-zealand-0](https://www.pm.gov.au/media/joint-statement-prime-ministers-australia-canada-and-new-zealand-0); [www.canada.ca/en/global-affairs/news/2024/01/statement-by-minister-hussen-on-allegations-against-staff-of-united-nations-relief-and-works-agency-for-palestine-refugees-in-the-near-east.html](https://www.canada.ca/en/global-affairs/news/2024/01/statement-by-minister-hussen-on-allegations-against-staff-of-united-nations-relief-and-works-agency-for-palestine-refugees-in-the-near-east.html); <https://x.com/SenatorWong/status/1751103658509644035>;

[www.rnz.co.nz/news/political/507907/no-more-aid-for-un-aid-agency-until-peters-satisfied-luxon](https://www.rnz.co.nz/news/political/507907/no-more-aid-for-un-aid-agency-until-peters-satisfied-luxon)

<sup>83</sup> [www.pm.gov.au/media/joint-statement-prime-ministers-australia-canada-and-new-zealand-0](https://www.pm.gov.au/media/joint-statement-prime-ministers-australia-canada-and-new-zealand-0). [www.gov.uk/government/news/uk-sanctions-extremist-settlers-in-the-west-bank](https://www.gov.uk/government/news/uk-sanctions-extremist-settlers-in-the-west-bank); [www.consilium.europa.eu/en/press/press-releases/2024/04/19/extremist-settlers-in-the-occupied-west-bank-and-east-jerusalem-council-sanctions-four-individuals-and-two-entities-over-serious-human-rights-abuses-against-palestinians](https://www.consilium.europa.eu/en/press/press-releases/2024/04/19/extremist-settlers-in-the-occupied-west-bank-and-east-jerusalem-council-sanctions-four-individuals-and-two-entities-over-serious-human-rights-abuses-against-palestinians); [www.international.gc.ca/world-monde/international\\_relations-relations\\_internationales/sanctions/esv-vec.aspx?lang=eng](https://www.international.gc.ca/world-monde/international_relations-relations_internationales/sanctions/esv-vec.aspx?lang=eng); [www.consilium.europa.eu/en/press/press-releases/2024/07/15/extremistische-israëlische-kolonisten-in-de-bezette-westelijke-bank-en-oost-jerusalem-en-gewelddadige-activisten-blokkeren-humanitaire-hulp-aan-Gaza-vijf-individuele-en-drie-entiteiten-gesanctioneerd-onder-het-eu-globale-mensenrechten-sanctieregime/](https://www.consilium.europa.eu/en/press/press-releases/2024/07/15/extremistische-israëlische-kolonisten-in-de-bezette-westelijke-bank-en-oost-jerusalem-en-gewelddadige-activisten-blokkeren-humanitaire-hulp-aan-Gaza-vijf-individuele-en-drie-entiteiten-gesanctioneerd-onder-het-eu-globale-mensenrechten-sanctieregime/); <https://www.foreignminister.gov.au/minister/penny-wong/transcript/sabra-lane-abc-am>

<sup>84</sup> [www.gov.uk/government/news/uk-sanctions-extremist-settlers-in-the-west-bank](https://www.gov.uk/government/news/uk-sanctions-extremist-settlers-in-the-west-bank); [www.consilium.europa.eu/en/press/press-releases/2024/04/19/extremist-settlers-in-the-occupied-west-bank-and-east-jerusalem-council-sanctions-four-individuals-and-two-entities-over-serious-human-rights-abuses-against-palestinians](https://www.consilium.europa.eu/en/press/press-releases/2024/04/19/extremist-settlers-in-the-occupied-west-bank-and-east-jerusalem-council-sanctions-four-individuals-and-two-entities-over-serious-human-rights-abuses-against-palestinians); [www.international.gc.ca/world-monde/international\\_relations-relations\\_internationales/sanctions/esv-vec.aspx?lang=eng](https://www.international.gc.ca/world-monde/international_relations-relations_internationales/sanctions/esv-vec.aspx?lang=eng); [www.consilium.europa.eu/en/press/press-releases/2024/07/15/extremistische-israëlische-kolonisten-in-de-bezette-westelijke-bank-en-oost-jerusalem-en-gewelddadige-activisten-blokkeren-humanitaire-hulp-aan-Gaza-vijf-individuele-en-drie-entiteiten-gesanctioneerd-onder-het-eu-globale-mensenrechten-sanctieregime/](https://www.consilium.europa.eu/en/press/press-releases/2024/07/15/extremistische-israëlische-kolonisten-in-de-bezette-westelijke-bank-en-oost-jerusalem-en-gewelddadige-activisten-blokkeren-humanitaire-hulp-aan-Gaza-vijf-individuele-en-drie-entiteiten-gesanctioneerd-onder-het-eu-globale-mensenrechten-sanctieregime/); <https://www.foreignminister.gov.au/minister/penny-wong/transcript/sabra-lane-abc-am>

<sup>85</sup> [www.gov.uk/government/news/uk-and-partners-unite-to-sanction-ministers-inciting-west-bank-violence](https://www.gov.uk/government/news/uk-and-partners-unite-to-sanction-ministers-inciting-west-bank-violence).

<sup>86</sup> <https://new.oic-oci.org/sitepages/ConferenceDetailsCatgWiseEN.aspx?Item=12>; <https://new.oic-oci.org/sitepages/ConferenceDetailsCatgWiseEN.aspx?Item=14>; <https://una-oic.org/en/palestinians/2023/10/11/Council-of-the-League-of-Arab-States-at-the-A-level/>; [www.spa.gov.sa/en/N2034246](https://www.spa.gov.sa/en/N2034246). [www.un.org/unispal/document/cairo-statement-and-arab-plan-adopted-at-the-league-of-arab-states-summit-for-early-recovery-reconstruction-and-development-in-gaza-letter-from-bahrain-a-79-820-s-2025-151/](https://www.un.org/unispal/document/cairo-statement-and-arab-plan-adopted-at-the-league-of-arab-states-summit-for-early-recovery-reconstruction-and-development-in-gaza-letter-from-bahrain-a-79-820-s-2025-151/)

<sup>87</sup> <https://new.oic-oci.org/sitepages/ConferenceDetailsCatgWiseEN.aspx?Item=12>; <https://una-oic.org/en/palestinians/2023/10/11/Council-of-the-League-of-Arab-States-at-the-A-level/>; [www.spa.gov.sa/en/N2034246](https://www.spa.gov.sa/en/N2034246). [www.un.org/unispal/document/cairo-statement-and-arab-plan-adopted-at-the-league-of-arab-states-summit-for-early-recovery-reconstruction-and-development-in-gaza-letter-from-bahrain-a-79-820-s-2025-151/](https://www.un.org/unispal/document/cairo-statement-and-arab-plan-adopted-at-the-league-of-arab-states-summit-for-early-recovery-reconstruction-and-development-in-gaza-letter-from-bahrain-a-79-820-s-2025-151/)

<sup>88</sup> [plan-adopted-at-the-league-of-arab-states-summit-for-early-recovery-reconstruction-and-development-in-gaza-letter-from-bahrain-a-79-820-s-2025-151/](https://www.un.org/unispal/document/cairo-statement-and-arab-plan-adopted-at-the-league-of-arab-states-summit-for-early-recovery-reconstruction-and-development-in-gaza-letter-from-bahrain-a-79-820-s-2025-151/)

Doorslaggevend, zelfs te midden van Israëlische agressie tegen zes Arabische staten, wat de complexiteit van de regionale geopolitiek weerspiegelt. Normalisatie door de door de VS bemiddelde Abraham-akkoorden heeft ook de economische prikkels veranderd. Open bronnen melden dat invloedrijke staten in de regio landroutes naar Israël faciliteerden, waarbij ze de Rode Zee omzeilden.<sup>89</sup> Terwijl Qatar en Egypte probeerden staakt-het-vuren-overeenkomsten te sluiten, herbergt Qatar de grootste Amerikaanse militaire basis in de regio, en onderhield Egypte belangrijke veiligheids- en economische betrekkingen met Israël,<sup>90</sup> waaronder samenwerking op energiegebied<sup>91</sup> en de sluiting van de grensovergang bij Rafah.<sup>92</sup>

25. Bepaalde niet-westerse staten hebben zich tot internationale rechtbanken gewend om verantwoording af te leggen en Israël onder druk te zetten om zijn acties te staken. Hoewel slechts 13 staten Zuid-Afrika voor het IGH hebben gesteund, hebben de meeste westerse staten volhardend genocide ontkend. <sup>93</sup> Geen van hen heeft zich bij het IGH aangesloten tegen Nicaragua in de strijd tegen Duitsland, of zich beroepen op nationale wetgeving tegen medeplichtige bedrijven of individuen. Slechts zeven staten hebben de situatie voorgelegd aan het ICC, <sup>94</sup> vele probeerden de arrestatiebevelen te ondermijnen, <sup>95</sup> en ten minste 37 staten waren terughoudend of kritisch. wat duidt op de intentie om arrestatieverplichtingen te ontduiken.<sup>96</sup> De Verenigde Staten legden sancties op om het Hof te verlammen;<sup>97</sup> het Verenigd Koninkrijk bedreigde de financiering ervan,<sup>98</sup> terwijl premier Netanyahu vrij door het Europese luchtruim reisde,<sup>99</sup> en zelfs Hongarije bezocht, dat zich in april 2025 uit het Hof terugtrok.<sup>100</sup>

26. Israël is beschermd tegen verantwoording in de rechtbank en op mondiale fora, doordat instellingen de verdiende uitsluiting van het land uit zowel de sportwereld (bijvoorbeeld de Olympische Spelen in Parijs, de kwalificatiewedstrijden voor het WK voetbal, FIBA, Davis Cup) als culturele evenementen (het Eurovisiesongfestival, de Biënnale van Venetië) hebben voorkomen.<sup>101</sup>

27. De baanbrekende uitspraak van het IGH over de illegaliteit van de bezetting heeft nog geen verandering gebracht. Op 18 september 2024 nam de Algemene Vergadering van de VN resolutie ES-10/24 aan, waarin het bindende karakter van de juridische verplichtingen van het Hof werd bevestigd<sup>102</sup> en een stappenplan werd opgesteld om de bezetting uiterlijk op 17 september 2025 te beëindigen door middel van diplomatieke, economische en juridische maatregelen die staten nog moeten implementeren.

28. De Saoedisch-Franse conferentie voor een tweestatenoplossing van september 2025 leidde ertoe dat tien nieuwe staten de staat Palestina erkenden.<sup>103</sup> Hoewel dit een belangrijke stap was, waren deze late erkenningen

<sup>89</sup> [www.ynetnews.com/article/hkxcieckt](https://www.ynetnews.com/article/hkxcieckt); [www.timesofisrael.com/houthi-bypass-quietly-goods-forge-overland-path-to-israel-via-saudi-arabia-jordan/](https://www.timesofisrael.com/houthi-bypass-quietly-goods-forge-overland-path-to-israel-via-saudi-arabia-jordan/)

<sup>90</sup> [www.palestinedeepdive.com/p/revealed-trump-is-using-egyptian](https://www.palestinedeepdive.com/p/revealed-trump-is-using-egyptian)

<sup>91</sup> [www.reuters.com/business/energy/israels-leviathan-tekent-deal-met-egypt-voor-de-levering-van-35-miljard-aardgas-2025-08-07/](https://www.reuters.com/business/energy/israels-leviathan-tekent-deal-met-egypt-voor-de-levering-van-35-miljard-aardgas-2025-08-07/)

<sup>92</sup> [www.nytimes.com/2024/06/20/world/middleeast/palestinians-gaza-gofundme-egypt.html](https://www.nytimes.com/2024/06/20/world/middleeast/palestinians-gaza-gofundme-egypt.html); [www.nytimes.com/2024/07/19/world/middleeast/rafah-palestinians-gaza-trapped.html](https://www.nytimes.com/2024/07/19/world/middleeast/rafah-palestinians-gaza-trapped.html); [www.icj-cij.org/case/192/intervention](https://www.icj-cij.org/case/192/intervention);

<sup>93</sup> <https://committees.parliament.uk/publications/49215/documents/262248/default/> .

<sup>94</sup> [www.icc-cpi.int/sites/default/files/2023-11/ICC-Referral-Palestine-Final-17-November-2023.pdf](https://www.icc-cpi.int/sites/default/files/2023-11/ICC-Referral-Palestine-Final-17-November-2023.pdf); [www.icc-cpi.int/sites/default/files/2024-01/2024-01-18-Referral\\_Chile\\_Mexico.pdf](https://www.icc-cpi.int/sites/default/files/2024-01/2024-01-18-Referral_Chile_Mexico.pdf) .

<sup>95</sup> [www.icc-cpi.int/palestine](https://www.icc-cpi.int/palestine).

<sup>96</sup> Statuut van Rome inzake het Internationaal Strafhof, art. 89; [www.justsecurity.org/105064/arrest-warrants-state-reactions-icc/](https://www.justsecurity.org/105064/arrest-warrants-state-reactions-icc/) ; <https://verfassungsblog.de/exception-to-icc-jurisdiction/>.

<sup>97</sup> [www.state.gov/releases/office-of-the-spokesperson/2025/08/imposing-further-sanctions-in-response-to-the-iccs-ongoing-threat-to-americans-and-israelis/](https://www.state.gov/releases/office-of-the-spokesperson/2025/08/imposing-further-sanctions-in-response-to-the-iccs-ongoing-threat-to-americans-and-israelis/); [www.state.gov/imposing-sanctions-in-response-to-the-iccs-illegitimate-actions-targeting-the-united-states-and-israel/](https://www.state.gov/imposing-sanctions-in-response-to-the-iccs-illegitimate-actions-targeting-the-united-states-and-israel/); [www.state.gov/releases/2025/07/sanctioning-lawfare-that-targets-us-and-israeli-persons/](https://www.state.gov/releases/2025/07/sanctioning-lawfare-that-targets-us-and-israeli-persons/); [www.state.gov/releases/2025/09/sanctioning-foreign-ngos-directly-engaged-in-iccs-illegitimate-targeting-of-israel](https://www.state.gov/releases/2025/09/sanctioning-foreign-ngos-directly-engaged-in-iccs-illegitimate-targeting-of-israel/) .

<sup>98</sup> [www.middleeasteye.net/news/david-cameron-bedreigd-met-het-vk-icc-terugtrekken-vanwege-het-onderzoek-naar-oorlogsmisdaden-in-israel](https://www.middleeasteye.net/news/david-cameron-bedreigd-met-het-vk-icc-terugtrekken-vanwege-het-onderzoek-naar-oorlogsmisdaden-in-israel)

<sup>99</sup> [www.middleeasteye.net/news/france-criticised-allowing-netanyahus-plane-use-its-airspace](https://www.middleeasteye.net/news/france-criticised-allowing-netanyahus-plane-use-its-airspace); [https://x.com/Clemence\\_Guette/status/1909592352714309975](https://x.com/Clemence_Guette/status/1909592352714309975); [www.timesofisrael.com/liveblog\\_entry/french-official-says-france-gave-netanyahu-permission-to-use-its-airspace-despite-icc-warrant/](https://www.timesofisrael.com/liveblog_entry/french-official-says-france-gave-netanyahu-permission-to-use-its-airspace-despite-icc-warrant/).

<sup>100</sup> [https://x.com/PM\\_ViktorOrban/status/1859905807577726996](https://x.com/PM_ViktorOrban/status/1859905807577726996); [www.icc-cpi.int/news/presidency-assembly-states-parties-responds-announcement-withdrawal-rome-statute-hungary](https://www.icc-cpi.int/news/presidency-assembly-states-parties-responds-announcement-withdrawal-rome-statute-hungary) ; [www.ohchr.org/en/press-releases/2025/09/un-experts-call-suspension-israel-international-football-amid-unfolding](https://www.ohchr.org/en/press-releases/2025/09/un-experts-call-suspension-israel-international-football-amid-unfolding)

<sup>101</sup> [www.ohchr.org/en/press-releases/2025/09/un-experts-call-suspension-israel-international-football-amid-unfolding](https://www.ohchr.org/en/press-releases/2025/09/un-experts-call-suspension-israel-international-football-amid-unfolding)

<sup>102</sup> A/RES/ES-10/24, paragrafen 1-2.

<sup>103</sup> [www.un.org/unispal/high-level-conference-two-state-solution-july2025/](https://www.un.org/unispal/high-level-conference-two-state-solution-july2025/).

zijn tot nu toe symbolisch gebleven, zonder enig tastbaar effect op de aanhoudende genocide.

In totaal hebben 20 nieuwe staten sinds oktober 2023 de staat Palestina erkend, maar met beperkende voorwaarden (bijvoorbeeld met betrekking tot bestuur, territoriale integriteit, politieke onafhankelijkheid en demilitarisering) die onverenigbaar zijn met de essentie van zelfbeschikking,<sup>104</sup> waarmee in feite vormen van koloniaal voogdijschap worden gereproduceerd.

29. Sinds oktober 2023 hebben alleen Belize, Bolivia, Colombia en Nicaragua de diplomatieke betrekkingen met Israël opgeschort, en hebben slechts zes staten – Bahrein, Tsjaad, Chili, Honduras, Jordanië, Turkije en Zuid-Afrika – hun betrekkingen met Israël verslechterd<sup>105</sup>.

30. De meest opvallende inspanning is afkomstig van het initiatief van de Haagse Groep, dat in januari 2025 werd gelanceerd.<sup>106</sup> Onder leiding van Colombia en Zuid-Afrika hebben 13 staten van de mondiale meerderheid zich ertoe verbonden zes concrete maatregelen tegen Israël af te dwingen.<sup>107</sup> Eenentwintig andere staten namen deel aan de derde bijeenkomst van de Groep in New York, in de marge van de 80e zitting van de Algemene Vergadering.<sup>108</sup> Ondanks de inspanningen van sommige van haar leden,<sup>109</sup> heeft Israël nog steeds zijn VN-geloofsbrieven.

31. Op 30 september 2025 hebben veel staten, waaronder Egypte, Indonesië, Jordanië, Pakistan, Qatar, Saoedi-Arabië, Turkije en de VAE, het "Trump Plan"<sup>110</sup> onderschreven, ondanks het stilzwijgen over het beëindigen van de bezetting, het garanderen van verantwoording, het bieden van overgangsjustitie en het opleggen van een tijdelijk mechanisme van imperialistisch buitenlands bestuur voor Gaza, dat de Palestijnse zelfbeschikking verder ondermijnt in plaats van verwezenlijkt.<sup>111</sup>

## B. Militaire banden: het verschaffen van vernietigingsmiddelen

32. Hoewel VN-resoluties sinds 1976 oproepen tot wapenembargo's tegen Israël,<sup>112</sup> zijn veel staten het land blijven voorzien van militaire steun en wapenleveringen. Israël is onevenredig afhankelijk van wapenimport, met een aandeel in hun totale handel dat meer dan twee keer zo groot is als het OESO-gemiddelde en meer dan vier keer zo groot als dat van de Verenigde Staten.<sup>113</sup> Deze internationale levering is doorgegaan, zelfs nu het bewijs van genocide zich opstapelt,<sup>114</sup> met de Verenigde Staten, Duitsland en Italië als de grootste leveranciers.

<sup>115</sup> Alleen

<sup>104</sup> [www.gov.uk/government/news/uk-formally-recognises-palestinian-state#:~:text=Foreign%20Secretary%20Yvette%20Cooper%20said,Palestinian%20people%20to%20s,eigen%2Dbepaling; www.foreignminister.gov.au/minister/penny-wong/media-release/australia-recognises-state-palestine#:~:text=Van](http://www.gov.uk/government/news/uk-formally-recognises-palestinian-state#:~:text=Foreign%20Secretary%20Yvette%20Cooper%20said,Palestinian%20people%20to%20s,eigen%2Dbepaling;www.foreignminister.gov.au/minister/penny-wong/media-release/australia-recognises-state-palestine#:~:text=Van)

kracht%20vandaag%2C%20zondag%20de%2021ste,een%20staat%20van%20hun%20eigen; www.international.gc.ca/world-monde/international\_relations-relations\_internationales/mena-moan/israeli-palestinian\_policy-politique\_israelo-palestinien.aspx?lang=eng.

<sup>105</sup> [www.axios.com/2023/11/16/israel-gaza-war-countries-against-cease-fire-diplomats](http://www.axios.com/2023/11/16/israel-gaza-war-countries-against-cease-fire-diplomats).

<sup>106</sup> <https://thehaguegroup.org/meetings-hague-en/>. <https://thehaguegroup.org/meetings-bogota-en/>; <https://dirco.gov.za/wp-content/uploads/2025/07/Bogota%E2%80%9494THG%E2%80%9494emergency%E2%80%9393conference%E2%80%9393verklaring.pdf>.

<sup>107</sup> <https://thehaguegroup.org/meetings-bogota-en/>; <https://dirco.gov.za/wp-content/uploads/2025/07/Bogota%E2%80%9494THG%E2%80%9494emergency%E2%80%9393conference%E2%80%9393verklaring.pdf>.

<sup>108</sup> [www.middleeasteye.net/news/states-meet-netanyahu-un-speech-weigh-action-israel](http://www.middleeasteye.net/news/states-meet-netanyahu-un-speech-weigh-action-israel); <https://thehaguegroup.org/meetings-ny-en/>.

<sup>109</sup> A/79/588

<sup>110</sup> <https://mofa.gov.pk/press-releases/joint-statement-by-the-foreign-ministers-of-jordan-united-arab-emirates-indonesia-pakistan-turkiye-saudi-arabia-qatar-and-egypt>.

<sup>111</sup> [www.ohchr.org/en/press-releases/2025/10/palestine-any-peace-plan-must-respect-international-law-beginning-self](http://www.ohchr.org/en/press-releases/2025/10/palestine-any-peace-plan-must-respect-international-law-beginning-self).

<sup>112</sup> A/RES/31/61 Artikel 5, A/RES/ES-9/1 Artikel 12(a) en (b), A/HRC/55/L.30, p.5.

<sup>113</sup> landen gerangschikt op basis van de index van wapenhandel ten opzichte van de totale handel (in huidige dollars). Gegevens voor Informatie over de wapenimport van SIPRI is beschikbaar op [www.sipri.org/databases](http://www.sipri.org/databases); handelsgegevens van de Wereldbank zijn te vinden op <https://data.worldbank.org/indicator/NE.TRD.GNFS.ZS>.

<sup>114</sup> *Veronderstelde schendingen van bepaalde internationale verplichtingen met betrekking tot het bezette Palestijnse gebied (Nicaragua v. Duitsland)*, beschikking, 30 april 2024, ICJ Reports 2024, par. 24.

<sup>115</sup> [www.sipri.org/commentary/topical-backgrounders/2025/how-top-arms-exporters-have-responded-war-gaza-2025-update](http://www.sipri.org/commentary/topical-backgrounders/2025/how-top-arms-exporters-have-responded-war-gaza-2025-update).

Een paar westerse staten, met name Spanje<sup>116</sup> en Slovenië, hebben contracten geannuleerd en embargo's opgelegd.<sup>117</sup>

33. De Verenigde Staten hebben Israël sinds zijn oprichting financieel en militair gesteund.<sup>118</sup> Na de oorlog van 1967 werd Israël de belangrijkste ontvanger van Amerikaanse buitenlandse militaire financiering (FMF).<sup>119</sup> Het 60-jarige strategische partnerschap tussen de Verenigde Staten en Israël is onderbouwd door een wettelijk vastgelegde toezegging aan Israëls "kwalitatieve militaire voorsprong".<sup>120</sup> bijna 30 jaar aan overeenkomsten die de militaire samenwerking tussen Israël en de VS garanderen,<sup>121</sup> een constante levering van militaire en economische hulp aan Israël<sup>122</sup> en preferentiële toegang tot Amerikaanse militaire verkopen.<sup>123</sup> Het derde MoU tussen de VS en Israël, dat van kracht is tot 2028, garandeert \$ 3,3 miljard per jaar aan FMF plus \$ 500 miljoen per jaar voor raketverdediging.<sup>124</sup> De VS heeft wapens aan Israël geleverd via militaire verkopen – de VS is goed voor twee derde van de jaarlijkse Israëlische wapenimport<sup>125</sup> – en via toegang tot de Amerikaanse wapenvoorraad (WRSA-I) in Israël.<sup>126</sup> Israël heeft ook speciale toestemming om FMF te gebruiken voor de aankoop van in Israël geproduceerde wapens.<sup>127</sup> Ondertussen wordt de Israëlische aankoop van F-15, F-16 en F-35 straaljagers<sup>128</sup> en munitie<sup>129</sup> ondersteund door toegang tot inkoopfondsen van Israëlische dochterondernemingen in de VS.<sup>130</sup>

34. De politieke, diplomatieke, militaire en strategische steun van de VS aan Israël is na 7 oktober 2023 geëscaleerd. Hoge Amerikaanse politici en militaire functionarissen reisden op ongekennde wijze naar Israël, onder meer voor operationele besprekingen over het Israëlische militaire optreden in Gaza.<sup>131</sup> Op 20 oktober 2023 kondigde de regering-Biden aan dat zij een extra bedrag van \$ 14,3 miljoen zou vragen.

<sup>116</sup> <https://contrataciondelestado.es/FileSystem/servlet/GetDocumentByIdServlet?DocumentIdParam=2025-d5fa890a-803a-4551-bb35-41df97283b37>

<sup>117</sup> [www.gov.si/en/news/2025-07-31-the-government-instructs-the-ministry-of-defence-to-strictly-enforce-controls-on-arms-trade-with-israel/](http://www.gov.si/en/news/2025-07-31-the-government-instructs-the-ministry-of-defence-to-strictly-enforce-controls-on-arms-trade-with-israel/); [www.everycrsreport.com/files/](http://www.everycrsreport.com/files/)

<sup>118</sup> 20070425\_RL33222\_ee97f8a100b2abd96b43a0f4d0cc6848e74efb26.pdf

<sup>119</sup> [www.congress.gov/crs\\_external\\_products/RL/PDF/RL33222/RL33222.53.pdf](http://www.congress.gov/crs_external_products/RL/PDF/RL33222/RL33222.53.pdf); [www.congress.gov/bill/110th-congress/house-bill/7177](http://www.congress.gov/bill/110th-congress/house-bill/7177); [www.congress.gov/112/statute/STATUTE-126/Pg1146.pdf](http://www.congress.gov/112/statute/STATUTE-126/Pg1146.pdf).

<sup>120</sup> <https://sgp.fas.org/crs/mideast/RL33222.pdf>, blz. 7-9.

<sup>121</sup> <https://sgp.fas.org/crs/mideast/RL33222.pdf>, blz. 7-9.

<sup>122</sup> Ibid. <https://sgp.fas.org/crs/mideast/RL33222.pdf>.

<sup>123</sup> [www.congress.gov/crs-product/RL31675](http://www.congress.gov/crs-product/RL31675); <https://www.state.gov/major-non-nato-ally-status>; <https://obamawhitehouse.archives.gov/the-press-office/2016/09/14/fact-sheet-memorandum-understanding-reached-israel>; [www.sipri.org/sites/default/files/2025-03/fs\\_2503\\_at\\_2024\\_0.pdf](http://www.sipri.org/sites/default/files/2025-03/fs_2503_at_2024_0.pdf), p. 11.

<sup>124</sup> [www.congress.gov/crs\\_external\\_products/RL/PDF/RL33222/RL33222.51.pdf](https://www.congress.gov/crs_external_products/RL/PDF/RL33222/RL33222.51.pdf) blz. 44-47; [www.justsecurity.org/91213/the-war-reserve-stockpile-allies-israel-explained-why-congress-should-not-expand-it/](http://www.justsecurity.org/91213/the-war-reserve-stockpile-allies-israel-explained-why-congress-should-not-expand-it/).

<sup>125</sup> [www.congress.gov/crs\\_external\\_products/RL/PDF/RL33222/RL33222.51.pdf](https://www.congress.gov/crs_external_products/RL/PDF/RL33222/RL33222.51.pdf) blz. 44-47; [www.justsecurity.org/91213/the-war-reserve-stockpile-allies-israel-explained-why-congress-should-not-expand-it/](http://www.justsecurity.org/91213/the-war-reserve-stockpile-allies-israel-explained-why-congress-should-not-expand-it/).

<sup>126</sup> <https://www.state.gov/us-security-cooperation-with-israel>; [https://costsofwar.watson.brown.edu/sites/default/files/2025-10/US-Military-Aid-to-Israel\\_Hartung\\_Costs-of-War-Quincy\\_Oct-7-2025.pdf](https://costsofwar.watson.brown.edu/sites/default/files/2025-10/US-Military-Aid-to-Israel_Hartung_Costs-of-War-Quincy_Oct-7-2025.pdf), blz. 2-4

<sup>127</sup> Ibid. [www.congress.gov/crs\\_external\\_products/RL/PDF/RL33222/RL33222.53.pdf](http://www.congress.gov/crs_external_products/RL/PDF/RL33222/RL33222.53.pdf), pp. 26-28; [https://costsofwar.watson.brown.edu/sites/default/files/2025-10/US-Military-Aid-to-Israel\\_Hartung\\_Costs-of-War-Quincy\\_Oct-7-2025.pdf](https://costsofwar.watson.brown.edu/sites/default/files/2025-10/US-Military-Aid-to-Israel_Hartung_Costs-of-War-Quincy_Oct-7-2025.pdf), pp. 5.

<sup>128</sup> [www.washingtonpost.com/world/2025/01/12/israel-weapons-bombs-trump-united-states/](http://www.washingtonpost.com/world/2025/01/12/israel-weapons-bombs-trump-united-states/); [www.congress.gov/crs\\_external\\_products/RL/PDF/RL33222/RL33222.53.pdf](http://www.congress.gov/crs_external_products/RL/PDF/RL33222/RL33222.53.pdf), blz. 15.

<sup>129</sup> Met inbegrip van de Amerikaanse president, minister van Defensie, minister van Buitenlandse Zaken, directeur van de CIA, voorzitter van de Joint Chiefs of Staff, nationale veiligheidsadviseur en commandant van CENTCOM: [www.war.gov/News/Releases/Release/Article/3556227/secretary-of-defense-travels-to-tel-aviv-to-show-support-for-the-people-of-israel](http://www.war.gov/News/Releases/Release/Article/3556227/secretary-of-defense-travels-to-tel-aviv-to-show-support-for-the-people-of-israel); <https://www.war.gov/News/Releases/Release/Article/3621153/readout-of-secretary-of-defense-lloyd-j-austin-iiis-visit-to-israel/>; <https://bidenwhitehouse.archives.gov/briefing-room/speeches-remarks/2023/10/18/remarks-by-president-biden-and-prime-minister-netanyahu-of-israel-before-bilateral-meeting-tel-aviv-israel/>; <https://history.state.gov/departmenthistory/travels/secretary/israel>; [www.state.gov/secretary-rubios-countries-visited-and-mileage/](http://www.state.gov/secretary-rubios-countries-visited-and-mileage/); [www.nytimes.com/2023/11/05/us/politics/william-burns-israel-middle-east-trip.html](http://www.nytimes.com/2023/11/05/us/politics/william-burns-israel-middle-east-trip.html); [www.war.gov/News/News-Stories/Article/Article/3886976/brown-visits-israel-despite-increased-hostilities-in-region/](http://www.war.gov/News/News-Stories/Article/Article/3886976/brown-visits-israel-despite-increased-hostilities-in-region/); [www.presidency.ucsb.edu/documents/press-conference-national-security-advisor-jake-sullivan-tel-aviv-israel](http://www.presidency.ucsb.edu/documents/press-conference-national-security-advisor-jake-sullivan-tel-aviv-israel); [www.centcom.mil/MEDIA/PRESS-RELEASES/Press-Release-View/Article/4235270/uscentcom-commander-conducts-middle-east-trip-to-visit-us-service-members-and-s/](http://www.centcom.mil/MEDIA/PRESS-RELEASES/Press-Release-View/Article/4235270/uscentcom-commander-conducts-middle-east-trip-to-visit-us-service-members-and-s/)

<sup>130</sup> [www.washingtonpost.com/world/2025/01/12/israel-weapons-bombs-trump-united-states/](http://www.washingtonpost.com/world/2025/01/12/israel-weapons-bombs-trump-united-states/); [www.congress.gov/crs\\_external\\_products/RL/PDF/RL33222/RL33222.53.pdf](http://www.congress.gov/crs_external_products/RL/PDF/RL33222/RL33222.53.pdf), blz. 15.

<sup>131</sup> Met inbegrip van de Amerikaanse president, minister van Defensie, minister van Buitenlandse Zaken, directeur van de CIA, voorzitter van de Joint Chiefs of Staff, nationale veiligheidsadviseur en commandant van CENTCOM: [www.war.gov/News/Releases/Release/Article/3556227/secretary-of-defense-travels-to-tel-aviv-to-show-support-for-the-people-of-israel](http://www.war.gov/News/Releases/Release/Article/3556227/secretary-of-defense-travels-to-tel-aviv-to-show-support-for-the-people-of-israel); <https://www.war.gov/News/Releases/Release/Article/3621153/readout-of-secretary-of-defense-lloyd-j-austin-iiis-visit-to-israel/>; <https://bidenwhitehouse.archives.gov/briefing-room/speeches-remarks/2023/10/18/remarks-by-president-biden-and-prime-minister-netanyahu-of-israel-before-bilateral-meeting-tel-aviv-israel/>; <https://history.state.gov/departmenthistory/travels/secretary/israel>; [www.state.gov/secretary-rubios-countries-visited-and-mileage/](http://www.state.gov/secretary-rubios-countries-visited-and-mileage/); [www.nytimes.com/2023/11/05/us/politics/william-burns-israel-middle-east-trip.html](http://www.nytimes.com/2023/11/05/us/politics/william-burns-israel-middle-east-trip.html); [www.war.gov/News/News-Stories/Article/Article/3886976/brown-visits-israel-despite-increased-hostilities-in-region/](http://www.war.gov/News/News-Stories/Article/Article/3886976/brown-visits-israel-despite-increased-hostilities-in-region/); [www.presidency.ucsb.edu/documents/press-conference-national-security-advisor-jake-sullivan-tel-aviv-israel](http://www.presidency.ucsb.edu/documents/press-conference-national-security-advisor-jake-sullivan-tel-aviv-israel); [www.centcom.mil/MEDIA/PRESS-RELEASES/Press-Release-View/Article/4235270/uscentcom-commander-conducts-middle-east-trip-to-visit-us-service-members-and-s/](http://www.centcom.mil/MEDIA/PRESS-RELEASES/Press-Release-View/Article/4235270/uscentcom-commander-conducts-middle-east-trip-to-visit-us-service-members-and-s/)

miljard voor Israël.<sup>132</sup> In april 2024 werd dit door het Congres aangenomen als een pakket van 26,4 miljard dollar voor de Israëlische defensie<sup>133</sup>, net toen Israël dreigde met de invasie van Rafah, eerder een verklaarde (maar later ontkende) "rode lijn" voor president Biden.<sup>134</sup> Israël werd later vrijgesteld van de bevrozing van militaire hulp door de regering-Trump.<sup>135</sup>

35. Sinds oktober 2023 hebben de VS 742 zendingen "wapens en munitie" (HS-code 93)<sup>136</sup> overgedragen en tientallen miljarden aan nieuwe verkopen goedgekeurd.<sup>137</sup> De regeringen van Biden en Trump hebben de transparantie verminderd,<sup>138</sup> de overdrachten versneld door middel van herhaalde noodgoedkeuringen,<sup>139</sup> de Israëlische toegang tot Amerikaanse wapenvoorraden in het buitenland vergemakkelijkt<sup>140</sup> en honderden verkopen goedgekeurd die net onder het bedrag liggen waarvoor goedkeuring van het Congres vereist is.<sup>141</sup> De VS hebben militaire vliegtuigen,<sup>142</sup> speciale troepen<sup>143</sup> en bewakingsdrones<sup>144</sup> naar Israël gestuurd, waarbij Amerikaanse bewaking naar verluidt wordt gebruikt om Hamas aan te vallen, onder meer bij de eerste inval in het Al Shifa-ziekenhuis.<sup>145</sup>

36. Tegen september 2024 zouden de VS 57.000 artilleriegranaten,<sup>146</sup> 36.000 stuks kanonmunitie, 20.000 M4A1-geweren, 13.981 antitankraketten en 8.700 MK-82 500-pondbommen hebben geleverd.<sup>147</sup> Tegen april 2025 had Israël 751 actieve verkopen ter waarde van \$ 39,2 miljard.<sup>148</sup> Zowel de regeringen van Biden als Trump hebben deze constante stroom van wapens mogelijk gemaakt, met uitzondering van een korte pauze in de levering van 500-pond- en 2000-pondbommen aan de vooravond van de Israëlische aanval op Rafah in mei 2024, die duurde tot juli 2024 voor 500-pondbommen<sup>149</sup> en tot januari 2025 voor 2000-pondbommen.<sup>150</sup>

- <sup>132</sup> [www.congress.gov/crs\\_external\\_products/RL/PDF/RL33222/RL33222.53.pdf](https://www.congress.gov/crs_external_products/RL/PDF/RL33222/RL33222.53.pdf) p. 3; <https://bidenwhitehouse.archives.gov/briefing-room/statements-releases/2023/10/20/fact-sheet-white-house-calls-on-congress-to-advance-critical-national-security-priorities/> . [www.congress.gov/118/plaws/publ50/PLAW-118publ50.pdf](https://www.congress.gov/118/plaws/publ50/PLAW-118publ50.pdf), pp. 2-10; [https://docs.house.gov/billsthisweek/20240415/APRIL2024\\_ISRAEL\\_xml.pdf](https://docs.house.gov/billsthisweek/20240415/APRIL2024_ISRAEL_xml.pdf), pp. 2, 5-6.
- <sup>133</sup> <https://www.theguardian.com/us-news/article/2024/may/07/biden-israel-palestine-policy>
- <sup>134</sup> [www.congress.gov/crs\\_external\\_products/RL/PDF/RL33222/RL33222.53.pdf](https://www.congress.gov/crs_external_products/RL/PDF/RL33222/RL33222.53.pdf), blz. 10.
- <sup>135</sup> [https://data.gov.il/dataset/customs\\_import\\_statistics\\_data](https://data.gov.il/dataset/customs_import_statistics_data); [www.middleeastmonitor.com/20250527-Israeli-ontvangt-940-Amerikaanse-wapenleveringen-sinds-de-oorlog-in-Gaza-en-het-ministerie-van-Defensie](https://www.middleeastmonitor.com/20250527-Israeli-ontvangt-940-Amerikaanse-wapenleveringen-sinds-de-oorlog-in-Gaza-en-het-ministerie-van-Defensie).
- <sup>136</sup> [https://search.usa.gov/search?query=Israel&affiliate=dod\\_dsca&utf8=%26%23x2713%3B](https://search.usa.gov/search?query=Israel&affiliate=dod_dsca&utf8=%26%23x2713%3B).
- <sup>137</sup> [www.congress.gov/crs\\_external\\_products/RL/PDF/RL33222/RL33222.53.pdf](https://www.congress.gov/crs_external_products/RL/PDF/RL33222/RL33222.53.pdf), blz. 2.; <https://truthout.org/articles/bill-would-allow-unlimited-us-weapons-transfers-to-israel-with-little-oversight/>.
- <sup>138</sup> [https://www.congress.gov/crs\\_external\\_products/RL/PDF/RL33222/RL33222.53.pdf](https://www.congress.gov/crs_external_products/RL/PDF/RL33222/RL33222.53.pdf), p. 4.; [www.state.gov/military-assistance-to-israel](https://www.state.gov/military-assistance-to-israel)
- <sup>139</sup> <https://appropriations.house.gov/news/press-releases/house-passes-series-security-supplemental-bills>; [https://docs.house.gov/billsthisweek/20240415/APRIL2024\\_ISRAEL\\_xml.pdf](https://docs.house.gov/billsthisweek/20240415/APRIL2024_ISRAEL_xml.pdf), p.2; <https://truthout.org/articles/bill-would-allow-unlimited-us-weapons-transfers-to-israel-with-little-oversight/> . [www.washingtonpost.com/national-security/2024/03/06/us-weapons-israel-gaza/](https://www.washingtonpost.com/national-security/2024/03/06/us-weapons-israel-gaza/); [https://watson.brown.edu/costsofwar/files/cow/imce/papers/2023/2024/Costs%20of%20War\\_US%20Ondersteuning%20sinds%20okt.%207%20def.%20v2.pdf](https://watson.brown.edu/costsofwar/files/cow/imce/papers/2023/2024/Costs%20of%20War_US%20Ondersteuning%20sinds%20okt.%207%20def.%20v2.pdf), p. 2; [www.congress.gov/crs\\_external\\_products/RL/PDF/RL48289/RL48289.6.pdf](https://www.congress.gov/crs_external_products/RL/PDF/RL48289/RL48289.6.pdf).
- <sup>140</sup> [www.haaretz.com/israel-news/security-aviation/2023-10-24/ty-article/us-deploys-more-arms-and-troops-to-israel-cyprus-and-jordan/0000018b-5cbf-d307-adbb-7dbf1aa80000](https://www.haaretz.com/israel-news/security-aviation/2023-10-24/ty-article/us-deploys-more-arms-and-troops-to-israel-cyprus-and-jordan/0000018b-5cbf-d307-adbb-7dbf1aa80000) .
- <sup>141</sup> [www.timesofisrael.com/us-special-forces-said-deployed-to-help-israel-track-down-hostages-held-in-gaza/](https://www.timesofisrael.com/us-special-forces-said-deployed-to-help-israel-track-down-hostages-held-in-gaza/) .
- <sup>142</sup> [www.nytimes.com/2023/11/02/world/middleeast/israel-hamas-gaza-hostages-us.html](https://www.nytimes.com/2023/11/02/world/middleeast/israel-hamas-gaza-hostages-us.html).
- <sup>143</sup> [www.cbsnews.com/news/mike-turner-house-intelligence-committee-chair-face-the-nation-transcript-12-03-2023/](https://www.cbsnews.com/news/mike-turner-house-intelligence-committee-chair-face-the-nation-transcript-12-03-2023/); [www.wsj.com/world/middle-east/us-relied-on-intercepts-in-assessing-hamass-operations-at-gaza-hospital-0d99e623](https://www.wsj.com/world/middle-east/us-relied-on-intercepts-in-assessing-hamass-operations-at-gaza-hospital-0d99e623) .
- <sup>144</sup> <https://media.defense.gov/2024/Dec/11/2003606409/-1/-1/0/PERSBERICHT%20-%20ISRAËL%2024-16%20CN.PDF>;
- <sup>145</sup> [https://watson.brown.edu/costsofwar/files/cow/imce/papers/2023/2024/Costs%20of%20War\\_US%20Support%20Since%20Oct%207%20FINAL%20v2.pdf](https://watson.brown.edu/costsofwar/files/cow/imce/papers/2023/2024/Costs%20of%20War_US%20Support%20Since%20Oct%207%20FINAL%20v2.pdf) p.2.
- <sup>146</sup> [www.state.gov/us-security-cooperation-with-israel](https://www.state.gov/us-security-cooperation-with-israel).
- <sup>147</sup> [www.wsj.com/world/middle-east/biden-administration-agrees-to-ship-500-pound-bombs-to-israel-c7e0bb3b](https://www.wsj.com/world/middle-east/biden-administration-agrees-to-ship-500-pound-bombs-to-israel-c7e0bb3b). [www.war.gov/News/News-](https://www.war.gov/News/News-)
- <sup>148</sup> [www.war.gov/News/News-](https://www.war.gov/News/News-)
- <sup>149</sup> [www.war.gov/News/News-](https://www.war.gov/News/News-)
- <sup>150</sup> [www.war.gov/News/News-](https://www.war.gov/News/News-)

37. Duitsland was de op één na grootste wapenexporteur naar Israël tijdens de genocide,<sup>151</sup> met leveringen die varieerden van fregatten tot torpedo's.<sup>152</sup> Duitse leiders hebben deze steun gerechtvaardigd op basis van de waargenomen verplichtingen jegens Israël na de Holocaust.<sup>153</sup> Naast het opschorten van ethische en juridische beoordelingen van de Israëlische bezetting,<sup>154</sup> heeft Duitsland van oktober 2023 tot juli 2025 individuele exportvergunningen uitgegeven ter waarde van € 489 miljoen.<sup>155</sup>

– 15 procent van alle vergunningen aan Israël in 22 jaar.<sup>156</sup> Dit omvat geen wapens die zijn overgedragen onder collectieve vergunningen of op basis van regering tot regering.<sup>157</sup> Hoewel bondskanselier Merz in augustus 2025 *de toekomstige* exportgoedkeuringen tijdelijk opschortte, werd een maand later voor € 2,46 miljoen aan export goedgekeurd.<sup>158</sup>

38. Het Verenigd Koninkrijk heeft ook een sleutelrol gespeeld in de militaire samenwerking met Israël,<sup>159</sup> Ondanks interne tegenstand.<sup>160</sup> Vanuit zijn bases op Cyprus heeft het Verenigd Koninkrijk een cruciale Amerikaanse bevoorradingslijn naar Tel Aviv mogelijk gemaakt<sup>161</sup> en meer dan 600 surveillancemissies boven Gaza uitgevoerd gedurende de genocide,<sup>162</sup> waarbij inlichtingen werden gedeeld met Israël.<sup>163</sup> Vluchtnummers en -duur, die vaak samenvielen met grote Israëlische operaties,<sup>164</sup> duiden op gedetailleerde kennis en samenwerking bij de vernietiging van Gaza, die verder reikt dan 'gijzelaarsredding'.<sup>165</sup>

39. Andere staten hebben onderdelen, componenten en wapens aan Israël geleverd via een ondoorzichtig systeem dat overdrachten, waaronder 'dual use'- en indirecte overdrachten, verhuult. Tussen oktober 2023 en oktober 2025 stuurden 26 staten minstens 10 zendingen 'wapens en munitie' (HS-code 93) naar Israël,<sup>166</sup> waarvan China de meest voorkomende was, waaronder Taiwan, India, Italië, Oostenrijk, Spanje, Tsjechië, Roemenië en Frankrijk. Militaire vliegtuigen, landvoertuigen, drones, honden<sup>167</sup> en dual-use-artikelen zoals geïntegreerde schakelingen zijn moeilijker te traceren.

40. Staten doen ook aan indirecte leveringen door onderdelen te leveren voor wapens die door Israël worden gebruikt. Het F-35 stealth-gevechtsvliegtuigprogramma, cruciaal voor de Israëlische militaire aanval in Gaza, omvat 19 staten – Australië, België, Canada, Tsjechië, Denemarken, Finland, Duitsland, Griekenland, Italië, Japan, Nederland, Noorwegen, Polen, Zuid-Korea, Roemenië, Singapore, Zwitserland, het Verenigd Koninkrijk en de Verenigde Staten – die onderdelen en componenten aan Israël leveren. Zeventien van hen hebben het Wapenhandelsverdrag geratificeerd. Ondanks rechtszaken

<sup>151</sup> [www.un.org/unispal/document/verbatim-records-icj-09apr24/](http://www.un.org/unispal/document/verbatim-records-icj-09apr24/)

<sup>152</sup> [www.sipri.org/sites/default/files/2025-03/fs\\_2503\\_at\\_2024\\_0.pdf](https://www.sipri.org/sites/default/files/2025-03/fs_2503_at_2024_0.pdf); <https://content.forensic-architecture.org/wp-content/uploads/2023/04/Forensis-Report-German-Arms-Exports-to-Israel-2003-2023.pdf>.

<sup>153</sup> Indiening bij OHCHR; en [https://www.idos-research.de/fileadmin/migratedNewsAssets/Files/Duits\\_Instituut\\_voor\\_Ontwikkeling\\_en\\_Duurzaamheid\\_lity\\_EN\\_Furness\\_Baumann\\_30.04.2024.pdf](https://www.idos-research.de/fileadmin/migratedNewsAssets/Files/Duits_Instituut_voor_Ontwikkeling_en_Duurzaamheid_lity_EN_Furness_Baumann_30.04.2024.pdf)

<sup>154</sup> Enzo Traverso, *Gaza Faces History* (New York, Other Press, 2024).

<sup>155</sup> <https://dserver.bundestag.de/btd/21/004/2100469.pdf>, blz. 66.

<sup>156</sup> <https://content.forensic-architecture.org/wp-content/uploads/2023/04/Forensis-Report-German-Arms-Exports-to-Israel-2003-2023.pdf>, blz. 4.

<sup>157</sup> Indiening bij OHCHR.

<sup>158</sup> [www.bundesregierung.de/breg-de/aktuelles/regierungspressekonferenz-vom-10-september-2025-2383822](http://www.bundesregierung.de/breg-de/aktuelles/regierungspressekonferenz-vom-10-september-2025-2383822); [www.haaretz.com/israel-news/2025-10-01/ty-article/germany-approves-2-46-million-euros-in-arms-exports-to-israel-after-partial-halt/00000199-9ecf-ddb4-abdd-ffffa4ea0000](https://www.haaretz.com/israel-news/2025-10-01/ty-article/germany-approves-2-46-million-euros-in-arms-exports-to-israel-after-partial-halt/00000199-9ecf-ddb4-abdd-ffffa4ea0000).

<sup>159</sup> [www.declassifieduk.org/britains-secret-defence-plan-with-israel/](http://www.declassifieduk.org/britains-secret-defence-plan-with-israel/)

<sup>160</sup> <https://hansard.parliament.uk/commons/2025-03-17/debates/2085400B-DCEF-4726-8039-4DCAD6FAC871/G7#contribution-9ED06F95-9B0C-471C-8FEF-13FFE20B5DC4>; <https://glanlaw.org/news/uk-admits-in-court-that-israel-is-not-committed-to-complying-with-international-humanitarian-law/>. [https://www.declassifieduk.org/us-military-is-](https://www.declassifieduk.org/us-military-is-secretly-supplying-weapons-to-israel-using-uk-base-on-cyprus/)

<sup>161</sup> [secretly-supplying-weapons-to-israel-using-uk-base-on-cyprus/](https://www.declassifieduk.org/us-military-is-secretly-supplying-weapons-to-israel-using-uk-base-on-cyprus/); <https://britpalcommittee.co.uk/s/British-Military-Collaboration-Report>, pp. 14–16.

<sup>162</sup> [www.thetimes.com/uk/defence/article/gaza-spying-us-news-lp90mz062](https://www.thetimes.com/uk/defence/article/gaza-spying-us-news-lp90mz062); <https://aoav.org.uk/wp-content/uploads/2025/04/The-UK-Royal-Air-Forces-surveillance-flights-over-the-Occupied-Palestijnse-Territory-examined.pdf>.

<sup>163</sup> <https://vragen-verklaringen.parliament.uk/geschreven-vragen/detail/2024-10-29/11669>

<sup>164</sup> <https://www.palestinedeepdive.com/p/exposed-flight-path-of-secret-british>

<sup>165</sup> [www.declassifieduk.org/us-flew-spy-flights-for-uk-months-before-mod-admitted-it/](http://www.declassifieduk.org/us-flew-spy-flights-for-uk-months-before-mod-admitted-it/)

<sup>166</sup> [https://data.gov.il/dataset/customs\\_import\\_statistics\\_data/resource/80c1e38e-06b9-4a67-b2a4-cc1a76374ee9](https://data.gov.il/dataset/customs_import_statistics_data/resource/80c1e38e-06b9-4a67-b2a4-cc1a76374ee9)

<sup>167</sup> [www.somo.nl/unleashing-terror-dutch-dogs-in-israels-war-crimes/](http://www.somo.nl/unleashing-terror-dutch-dogs-in-israels-war-crimes/).

in Nederland, 168 Canada, 169 Australië, 170 Denemarken 171 en het Verenigd Koninkrijk 172 – die allemaal hun rol verdedigden, en sommige staten hebben de directe export 173 geannuleerd – blijven onderdelen voor de F-35 overdragen, 174 die veelvuldig werden gebruikt bij de genocidale vernietiging van Gaza.

41. Staten gebruiken vaak twee argumenten om wapenhandel met Israël te rechtvaardigen: dergelijke wapens worden óf "defensief" 175 óf "niet-dodelijk" genoemd. 176 Het Wapenhandelsverdrag erkent geen van beide onderscheidingen, maar vereist een holistische beoordeling van hoe alle wapens, onderdelen en componenten uiteindelijk zullen worden gebruikt. Aangezien de bezetting van Palestijns grondgebied een voortdurend onrechtmatig gebruik van geweld is in strijd met het VN-Handvest, kan niets van wat Israël daar doet als "defensief" worden opgevat. 177

42. Staten zijn doorgegaan met het verstrekken van vergunningen voor de uitvoer van wapens naar Israël, het herzien en gedeeltelijk behouden van vergunningen ondanks het erkennen van zorgen (bijvoorbeeld het Verenigd Koninkrijk, 178 Canada, 179 Australië 180) en om de overdracht van wapens via hun havens en luchthavens toe te staan (bijvoorbeeld Italië, 181 Nederland, 182 Ierland, 183 Frankrijk, 184 Marokko 185). Italië, de op twee na grootste exporteur naar Israël in 2020-2024, heeft aangevoerd dat het voldoet aan de wettelijke verplichtingen om deze export te staken, terwijl het bestaande overeenkomsten 186 voortzet en een hands-off-aanpak hanteert ten aanzien van de doorvoer. 187 Deze acties, ondanks duidelijke verplichtingen en toenemende zorgen, duiden op een intentie om Israëlische misdaden te faciliteren.

<sup>168</sup> [www.hogeraad.nl/actueel/nieuwsoverzicht/2025/oktober/supreme-court-minister-must-perform-reassessment-licence-to-export-35/](https://www.hogeraad.nl/actueel/nieuwsoverzicht/2025/oktober/supreme-court-minister-must-perform-reassessment-licence-to-export-35/); <https://paxforpeace.nl/news/lawsuit-against-dutch-state-stop-delivery-of-f-35s/>.

<sup>169</sup> <https://armstradelitigationmonitor.org/overview/canadian-arms-and-palestine/>; <https://claihr.ca/arms-exports-to-israel-challenge> ; <https://canlii.ca/t/k8rf5>.

<sup>170</sup> [www.alhaq.org/advocacy/22112.html](https://www.alhaq.org/advocacy/22112.html).

<sup>171</sup> <https://armstradelitigationmonitor.org/overview/danish-arms-and-palestine/>;

[www.amnesty.org.au/organisations-will-appeal-court-ruling-denying-admissibility-of-lawsuit-on-exporting-weapons-to-israel-in-denmark/](https://www.amnesty.org.au/organisations-will-appeal-court-ruling-denying-admissibility-of-lawsuit-on-exporting-weapons-to-israel-in-denmark/).

<sup>172</sup> <https://glanlaw.org/news/glaring-accountability-gap-revealed-in-arms-case-high-court-judgment/>. [www.cbc.ca/news/politics/melanie-joly-canada-arms-israel-gaza-1.7319112](https://www.cbc.ca/news/politics/melanie-joly-canada-arms-israel-gaza-1.7319112); <https://breachmedia.ca/israeli-warplanes-canadian-gastops/>. <https://committees.parliament.uk/publications/49215/documents/262248/default/>; <https://caat.org.uk/data/countries/israel/mapped-all-the-uk-companies-manufacturing-components-for-israels-f35-combat-aircraft/>.

<sup>173</sup> <https://glanlaw.org/news/glaring-accountability-gap-revealed-in-arms-case-high-court-judgment/>.

<sup>174</sup> <https://committees.parliament.uk/publications/49215/documents/262248/default/>; <https://caat.org.uk/data/countries/israel/mapped-all-the-uk-companies-manufacturing-components-for-israels-f35-combat-aircraft/>.

<sup>175</sup> <https://hansard.parliament.uk/Commons/2024-10-28/debates/FCE4F192-3959-4B5D-B4B9-ABBF9E3C2D71/details>; [www.icj-cij.org/sites/default/files/case-related/193/193-20240409-ora-01-00-bi.pdf](https://www.icj-cij.org/sites/default/files/case-related/193/193-20240409-ora-01-00-bi.pdf), blz. 17-18.

<sup>176</sup> [www.crikey.com.au/2025/08/12/f35-fighter-jet-parts-israel-australia-international-law/](https://www.crikey.com.au/2025/08/12/f35-fighter-jet-parts-israel-australia-international-law/).

<sup>177</sup> <https://alhaqueurope.org/wp-content/uploads/2025/09/Wilde-Palestine-AO-OPT-AI-Haq-Europe-Opinion.pdf>, pp. 46

<sup>178</sup> [www.gov.uk/government/news/uk-suspends-around-30-arms-export-licences-to-israel-for-use-in-gaza-over-international-humanitarian-law-concern](https://www.gov.uk/government/news/uk-suspends-around-30-arms-export-licences-to-israel-for-use-in-gaza-over-international-humanitarian-law-concern).

<sup>179</sup> [https://armsembargonow.ca/wp-content/uploads/2025/07/Exposing-Canadian-Military-Exports-to-Israel\\_07292025\\_compressed-.pdf](https://armsembargonow.ca/wp-content/uploads/2025/07/Exposing-Canadian-Military-Exports-to-Israel_07292025_compressed-.pdf).

<sup>180</sup> [https://acj.org.au/australian-government-cannot-rely-on-uk-high-court-decision-on-export-of-f35-wapenonderdelen-naar-](https://acj.org.au/australian-government-cannot-rely-on-uk-high-court-decision-on-export-of-f35-wapenonderdelen-naar-Israël/)

<sup>181</sup> Israël/. <https://altreconomia.it/materiale-darmamento-dallitalia-a-israele-lo-squarcio-aperto-dallinchiesta-di-ravenna/>. [https://](https://www.maskoffmaersk.com/s/Technical-Briefing-on-Dutch-Ports-and-Maersk_-Sustaining-the-Israeli-Militarys-F-35s.pdf)

<sup>182</sup> [www.maskoffmaersk.com/s/Technical-Briefing-on-Dutch-Ports-and-Maersk\\_-Sustaining-the-Israeli-Militarys-F-35s.pdf](https://www.maskoffmaersk.com/s/Technical-Briefing-on-Dutch-Ports-and-Maersk_-Sustaining-the-Israeli-Militarys-F-35s.pdf). <https://www.rte.ie/news/clarity/>

<sup>183</sup> [2025/0530/1515792-why-shannon-airport-remains-a-key-gateway-for-us-military/](https://www.shannonwatch.org/content/2025/0530/1515792-why-shannon-airport-remains-a-key-gateway-for-us-military/) ; <https://www.shannonwatch.org/content/us-military-aircraft-through-shannon-between-18-march-and-31-july-2024/>; <https://www.shannonwatch.org/content/us-military-aircraft-through-shannon-and-irish-airspace-between-7-oct-2023-and-17-march-2024>.

<sup>184</sup> [www.france-palestine.org/IMG/pdf/livraisons\\_darmes\\_de\\_la\\_france\\_vers\\_israel\\_-\\_un\\_flux\\_ininterrompu.pdf](https://www.france-palestine.org/IMG/pdf/livraisons_darmes_de_la_france_vers_israel_-_un_flux_ininterrompu.pdf).

<sup>185</sup> [https://www.maskoffmaersk.com/s/Technical-Briefing-on-Dutch-Ports-and-Maersk\\_-Sustaining-the-Israeli-Militarys-F-35s.pdf](https://www.maskoffmaersk.com/s/Technical-Briefing-on-Dutch-Ports-and-Maersk_-Sustaining-the-Israeli-Militarys-F-35s.pdf), p. 3; [www.middleeasteye.net/news/morocco-support-israel-military-equipment-war-gaza](https://www.middleeasteye.net/news/morocco-support-israel-military-equipment-war-gaza).

<sup>186</sup> <https://www.sipri.org/commentary/topical-background/2024/how-top-arms-exporters-have-responded-war-gaza>.

<sup>187</sup> <https://ilmanifesto.it/armi-dirette-in-israele-con-il-trucco-ravenna-insorge-non-si-passa>.



43. Staten ondersteunen het Israëlsche leger ook via militaire partnerschappen en gezamenlijke verdedigingsmanoeuvres. Sinds 2015 neemt de Israëlsche luchtmacht deel aan de INIOCHOS-oefening, onder meer in 2025 samen met Griekenland, de VS, Italië, Qatar, de VAE, Frankrijk, Spanje, Montenegro, India, Slovenië en Polen.<sup>188</sup> In 2024-2025 nam Israël samen met 27 landen deel aan de grootste wereldwijde oefening, onder leiding van AFRICOM (US Africa Command) en de Koninklijke Marokkaanse Strijdkrachten.<sup>189</sup> Israëlsche soldaten worden opgeleid aan het Britse Royal College of Defence Studies.<sup>190</sup>
44. Daarnaast hebben sinds oktober 2023 duizenden burgers uit onder meer de Verenigde Staten, Rusland, Frankrijk, Oekraïne en het Verenigd Koninkrijk gediend in het Israëlsche leger. Er zijn er maar weinig onderzocht en niemand is vervolgd voor misdaden in Gaza.<sup>191</sup>
45. Ook derde landen blijven Israëlsche wapens en militaire technologie kopen. Deze export vormt niet alleen een kernonderdeel van de Israëlsche economie – in 2024 was de wapenexport goed voor 23 procent van de Israëlsche export,<sup>192</sup> het op één na hoogste aandeel wereldwijd<sup>193</sup> – maar vergroot ook de Israëlsche wapenproductiecapaciteit.
46. Een uniek verkoopargument van Israëlsche militaire technologie is dat deze wordt getest op Palestijnen die onder bezetting leven en op daarmee samenhangende militaire activiteiten.<sup>194</sup> De aanhoudende genocide heeft Israël in staat gesteld het scala aan wapens en bewakingssystemen die op de bevolking van Gaza worden getest, uit te breiden.<sup>195</sup> Als gevolg hiervan steeg de waarde van de wapenexport met 18 procent tijdens de genocide,<sup>196</sup> waarbij de export naar de EU meer dan verdubbelde en in 2024 goed was voor 54 procent van de Israëlsche militaire export. Andere belangrijke bestemmingen zijn Azië en de Stille Oceaan (23 procent) en Arabische landen in het kader van de Abraham-akkoorden (12 procent).<sup>197</sup>

## C. Wapengebruik van hulp: het creëren van leefomstandigheden voor genocide

47. Sommige derde staten hebben de verslechtering van de levensomstandigheden van de bevolking van Gaza mogelijk gemaakt, onder meer door hun deelname aan het verstrekken van hulp.

48. Reeds vóór 7 oktober werd de illegale blokkade van Gaza door Israël en Egypte opgelegd – met strenge beperkingen op het goederenverkeer, zelfs tot aan de berekende calorie-inname<sup>198</sup> – heeft 80 procent van de bevolking afhankelijk gemaakt van hulp, terwijl 1,1 miljoen mensen afhankelijk zijn van UNRWA voor voedsel en basisvoorzieningen.<sup>199</sup> Het agentschap is de basis van de economische, sociale en

<sup>188</sup> [www.haf.gr/en/structure/htaf/air-tactics-center/iniochos/archives/iniochos-2025/](http://www.haf.gr/en/structure/htaf/air-tactics-center/iniochos/archives/iniochos-2025/).

<sup>189</sup> [www.theafricareport.com/382009/us-africa-wargames-apache-helicopters-israel-regional-tension-mark-military-exercise/](http://www.theafricareport.com/382009/us-africa-wargames-apache-helicopters-israel-regional-tension-mark-military-exercise/) ; [https://www.army.mil/article/276952/african\\_lion\\_24\\_concludes\\_with\\_strategic\\_success\\_across\\_four\\_nations](https://www.army.mil/article/276952/african_lion_24_concludes_with_strategic_success_across_four_nations); [www.africom.mil/pressrelease/35825/us-and-royal-moroccan-armed-forces-launch-african-lion-25-in-morocco](http://www.africom.mil/pressrelease/35825/us-and-royal-moroccan-armed-forces-launch-african-lion-25-in-morocco) .

<sup>190</sup> [www.declassifieduk.org/britain-trained-israeli-soldiers-fighting-in-gaza/](http://www.declassifieduk.org/britain-trained-israeli-soldiers-fighting-in-gaza/). <https://>

<sup>191</sup> [fs.knesset.gov.il/globaldocs/MMM/7d0e8fd4-e91c-ef11-815f-005056aac6c3/2\\_7d0e8fd4-e91c-ef11-815f-005056aac6c3\\_11\\_20806.pdf](https://fs.knesset.gov.il/globaldocs/MMM/7d0e8fd4-e91c-ef11-815f-005056aac6c3/2_7d0e8fd4-e91c-ef11-815f-005056aac6c3_11_20806.pdf); [www.aljazeera.com/news/2025/7/30/belgium-refers-war-crimes-complaint-against-israeli-soldiers-to-icc](https://www.aljazeera.com/news/2025/7/30/belgium-refers-war-crimes-complaint-against-israeli-soldiers-to-icc) .

<sup>192</sup> Defensie-export in 2022 en 2024 afkomstig van: [www.mod.gov.il/en/press-releases/press-room/israel-sets-new-record-in-defense-exports-over-125-billion-in-2022](http://www.mod.gov.il/en/press-releases/press-room/israel-sets-new-record-in-defense-exports-over-125-billion-in-2022) ; <https://mod.gov.il/en/press-releases/press-room/israel-sets-new-record-in-defense-exports-over-147-billion-in-2024>; gegevens over de export van merchandising afkomstig van: <https://data.worldbank.org/indicator/TX.VAL.MRCH.CD.WT?locations=IL>.

<sup>193</sup> Landen gerangschikt op basis van de index van wapenhandel ten opzichte van de totale handel (in huidige dollars). Gegevens voor wapenexport van SIPRI beschikbaar op [www.sipri.org/databases](http://www.sipri.org/databases); handelsgegevens afkomstig van de Wereldbank op <https://data.worldbank.org/indicator/NE.TRD.GNFS.ZS>.

<sup>194</sup> Antony Loewenstein, *The Palestine Laboratory: Hoe Israël de technologie van de bezetting over de hele wereld exporteert* (Verso Books, 2023).

<sup>195</sup> A/HRC/59/23, par. 36.

<sup>196</sup> Gegevens zijn afkomstig van

<https://mod.gov.il/en/press-releases/press-room/israel-sets-new-record-in-defense-export-over-147-biljard-in-2024> en <https://www.mod.gov.il/en/press-releases/press-room/israel-sets-new-record-in-defense-export-over-125-billion-in-2022>

<sup>197</sup> <https://mod.gov.il/en/press-releases/press-room/israel-sets-new-record-in-defense-export-over-147-biljard-in-2024>.

<sup>198</sup> [www.ochaopt.org/sites/default/files/HNO\\_2023.pdf](http://www.ochaopt.org/sites/default/files/HNO_2023.pdf), p. 11; [www.gisha.org/UserFiles/File/publications/redlines/red-lines-presentation-eng.pdf](http://www.gisha.org/UserFiles/File/publications/redlines/red-lines-presentation-eng.pdf).

<sup>199</sup> [www.unrwa.org/gaza15-years-blockade](http://www.unrwa.org/gaza15-years-blockade).

humanitaire steun voor de Palestijnen, met name in Gaza, dankzij de inbedding in de lokale bevolking, waardoor het meer dan 400 locaties voor de distributie van hulpgoederen kon beheren te midden van de genocide.<sup>200</sup>

49. Sinds oktober 2023 heeft Israël de bestaande beperkingen omgezet in een volledige blokkade.<sup>201</sup> Van oktober 2023 tot januari 2025 was de hulp beperkt tot gemiddeld 107 vrachtwagens per dag – minder dan een derde van het niveau van vóór 2023.<sup>202</sup> In maart 2025 verscherpte Israël zijn belegering verder.<sup>203</sup> In augustus 2025 werd door de Integrated Food Security Phase Classification een hongersnood in Gaza uitgeroepen en waren er minstens 461 mensen gestorven aan oorzaken die verband hielden met ondervoeding.<sup>204</sup>

50. In strijd met zijn verplichtingen om te zorgen voor voldoende overlevingsmiddelen<sup>205</sup> – zoals bevestigd door het Internationaal Gerechtshof<sup>206</sup> – heeft de genocide campagne van Israël doelbewust geprobeerd het humanitaire systeem dat de bezette bevolking in stand houdt, te vernietigen.<sup>207</sup> Dit heeft het gedaan door: (i) het rechtstreeks bombarderen van UNRWA-magazijnen,<sup>208</sup> voedseldistributiepunten,<sup>209</sup> scholen<sup>210</sup> en klinieken,<sup>211</sup> het doden van meer dan 370 personeelsleden;<sup>212</sup> (ii) lastercampagnes tegen UNRWA,<sup>213</sup> en (iii) het promoten van ad hoc pseudo-humanitaire organisaties.<sup>214</sup>

51. Toen Israël, zonder bewijs, beweerde dat UNRWA-personeel betrokken was bij de gebeurtenissen van 7 oktober,<sup>215</sup> schortten 18 staten de financiering onmiddellijk op,<sup>216</sup> en onderschreven daarmee kritiekloos het Israëlische verhaal. Ondanks incompleet onderzoek werden de beschuldigde medewerkers ontslagen<sup>217</sup> en duurde het maanden voordat de meeste donoren hun bijdragen aan UNRWA hervatten. De Verenigde Staten, de grootste donor, namen een wet aan die Amerikaanse financiering verbood.<sup>218</sup> Toen de Israëlische Knesset de ongekende stap zette om UNRWA-operaties per 30 januari 2025 te verbieden,<sup>219</sup> ondernamen slechts enkele staten actie door een advies van het Internationaal Gerechtshof aan te vragen.<sup>220</sup>

<sup>200</sup> [www.un.org/unispal/document/unrwa-commissioner-general-on-gaza-the-humanitarian-community-calls-for-an-end-to-the-so-called-gaza-humanitarian-foundation-ghf/](http://www.un.org/unispal/document/unrwa-commissioner-general-on-gaza-the-humanitarian-community-calls-for-an-end-to-the-so-called-gaza-humanitarian-foundation-ghf/).

<sup>201</sup> A/HRC/55/73, paragrafen 26, 36 en 40; A/HRC/60/CRP.3, paragrafen 190-203.

<sup>202</sup> [www.ochaopt.org/data/crossings](http://www.ochaopt.org/data/crossings); [www.crisisgroup.org/middle-east-north-africa/east-mediterranean-mena/israelpalestine/244-stopping-famine-gaza](http://www.crisisgroup.org/middle-east-north-africa/east-mediterranean-mena/israelpalestine/244-stopping-famine-gaza).

<sup>203</sup> [www.ohchr.org/en/press-releases/2025/03/gaza-experts-condemn-israeli-decision-re-open-gates-hell-and-unilaterally](http://www.ohchr.org/en/press-releases/2025/03/gaza-experts-condemn-israeli-decision-re-open-gates-hell-and-unilaterally).

<sup>204</sup> [www.un.org/unispal/wp-content/uploads/2025/08/IPC\\_Famine\\_Review\\_Committee\\_Report\\_Gaza\\_Aug2025-compressed.pdf](http://www.un.org/unispal/wp-content/uploads/2025/08/IPC_Famine_Review_Committee_Report_Gaza_Aug2025-compressed.pdf); [www.ochaopt.org/content/humanitarian-situation-update-329-gaza-strip](http://www.ochaopt.org/content/humanitarian-situation-update-329-gaza-strip).

<sup>205</sup> Vierde Geneefse Conventie, artikelen 55 en 60 API.

<sup>206</sup> Toepassing van het Verdrag inzake de voorkoming en de bestraffing van genocide in de Gazastrook (Zuid-Afrika tegen Israël), Jurisdictie van het Hof, Beschikkingen, 26 januari 2024, ICJ Reports 2024, p. 29.

<sup>207</sup> A/HRC/60/CRP.3, paragraaf 198.

<sup>208</sup> <https://news.un.org/en/story/2025/01/1158746>.

<sup>209</sup> [www.unrwa.org/newsroom/official-statements/least-one-unrwa-staff-killed-when-israeli-forces-hit-unrwa-centre-used](http://www.unrwa.org/newsroom/official-statements/least-one-unrwa-staff-killed-when-israeli-forces-hit-unrwa-centre-used).

<sup>210</sup> <https://news.un.org/en/story/2025/05/1162996>.

<sup>211</sup> [www.aljazeera.com/video/newsfeed/2025/4/3/deadly-israeli-air-attack-on-unrwa-clinic-in-gaza](http://www.aljazeera.com/video/newsfeed/2025/4/3/deadly-israeli-air-attack-on-unrwa-clinic-in-gaza).

<sup>212</sup> [www.unrwa.org/resources/reports/unrwa-situation-report-192-situation-gaza-strip-and-west-bank-including-east-jerusalem](http://www.unrwa.org/resources/reports/unrwa-situation-report-192-situation-gaza-strip-and-west-bank-including-east-jerusalem).

<sup>213</sup> [www.impact-se.org/wp-content/uploads/UNRWA-Education-Textbooks-and-Terror-Nov-2023.pdf](http://www.impact-se.org/wp-content/uploads/UNRWA-Education-Textbooks-and-Terror-Nov-2023.pdf); [www.unrwa.org/newsroom/official-statements/state-israel-continues-dis-information-campaign-against-unrwa](http://www.unrwa.org/newsroom/official-statements/state-israel-continues-dis-information-campaign-against-unrwa); [www.reuters.com/world/middle-east/usaid-analysis-found-no-evidence-massive-hamas-theft-gaza-aid-2025-07-25/](http://www.reuters.com/world/middle-east/usaid-analysis-found-no-evidence-massive-hamas-theft-gaza-aid-2025-07-25/); [www.idf.il/media/phthtyhtm/08-yyyyyy-yyyy-yy.pdf](http://www.idf.il/media/phthtyhtm/08-yyyyyy-yyyy-yy.pdf)

pp.109–113.

<sup>215</sup> [www.unrwa.org/newsroom/official-statements/serious-allegations-against-unrwa-staff-gaza-strip](http://www.unrwa.org/newsroom/official-statements/serious-allegations-against-unrwa-staff-gaza-strip); <https://govextra.gov.il/media/d21mw2f3/the-connection-between-unrwa-and-hamas-280425.pdf>.

<sup>216</sup> <https://www.ohchr.org/en/press-releases/2024/02/states-must-reinstate-and-strengthen-support-unrwa-amid-unfolding-genocide>.

<sup>217</sup> [www.unrwa.org/newsroom/official-statements/serious-allegations-against-unrwa-staff-gaza-strip](http://www.unrwa.org/newsroom/official-statements/serious-allegations-against-unrwa-staff-gaza-strip).

<sup>218</sup> <https://appropriations.house.gov/news/press-releases/house-passes-series-security-supplemental-bills>. <https://main.knesset.gov.il/en/news/pressreleases/pages/press22724y.aspx>; <https://main.knesset.gov.il/EN/News/PressReleases/Pages/press291024q.aspx>.

<sup>219</sup> <https://main.knesset.gov.il/en/news/pressreleases/pages/press22724y.aspx>; <https://main.knesset.gov.il/EN/News/PressReleases/Pages/press291024q.aspx>.

<sup>220</sup> *Verplichtingen van Israël met betrekking tot de aanwezigheid en activiteiten van de Verenigde Naties, andere internationale organisaties en derde staten in en met betrekking tot het bezette Palestijnse gebied*, nieuw advies op handen, 22 oktober 2025.

52. De brute aanval op het VN-systeem werd aangevuld door een poging tot vervanging door een door Israël en de VS gecontroleerd hulpmechanisme.<sup>221</sup> De Gaza Humanitarian Foundation (GHF) – al in december 2023<sup>222</sup> met Amerikaanse steun en financiering opgericht – gebruikte hulp distributie, via door het leger gerunde locaties bemand met Amerikaanse huurlingen,<sup>223</sup> om de gedwongen verplaatsing van Palestijnen naar Egypte te faciliteren.<sup>224</sup> Dit leek te anticiperen op het zogenaamde "Gaza Riviera"-plan, dat tot gedwongen verplaatsing van Palestijnen zou hebben geleid.<sup>225</sup>

53. Vanaf maart 2025<sup>226</sup> werden, te midden van de door de belegering veroorzaakte hongersnood en de vernietiging van 23 UNRWA-locaties in vier maanden,<sup>227</sup> 2.100 ongewapende burgers gedood en raakten honderdduizenden gewond door Israëlische troepen en Amerikaanse contractanten in het GHF.<sup>228</sup> Desondanks werd het GHF pas ontbonden na het "vredesplan" van president Trump.<sup>229</sup>

54. In plaats van zich te verzetten tegen deze door de mens veroorzaakte humanitaire catastrofe, hebben België,<sup>230</sup> Canada,<sup>231</sup> Denemarken,<sup>232</sup> Jordanië<sup>233</sup> en het Verenigd Koninkrijk<sup>234</sup> hebben onder andere hulpgoederen in Gaza gedropt – een dure, ontoereikende en gevaarlijke reactie.<sup>235</sup> Hoewel er werd beweerd dat er actie werd ondernomen om het tekort te verlichten, leidde dit er alleen maar toe dat de internationale publieke opinie werd misleid, terwijl de hongersnood verergerde. Hulpmissies van de marine naar Gaza en pogingen van maatschappelijke organisaties om de blokkade te doorbreken, werden door Israël onrechtmatig onderschept in internationale wateren – te midden van stilte en inactiviteit van derde landen.<sup>236</sup>

55. Op verschillende cruciale momenten hebben derde staten, in plaats van zich aan hun wettelijke verplichtingen te houden, bijgedragen aan de verslechtering van de levensomstandigheden, waardoor zij zelf betrokken raakten bij de verwoestende gevolgen voor de burgerbevolking die in grote nood verkeert.<sup>237</sup>

## D. Economische en handelsbetrekkingen: de brandstof en de winst van genocide

56. Israël is sterk afhankelijk van internationale handel en economische samenwerking. Het onderhouden van normale handelsbetrekkingen ondanks de illegaliteit van de bezetting en systematische schendingen van mensenrechten en humanitair recht – die nu zijn geëscaleerd tot genocide – legitimeert en ondersteunt het Israëlische apartheidsregime. In 2024 bedroeg de internationale handel in goederen en diensten 54 procent van de totale handel in Israël.

<sup>221</sup> A/HRC/60/CRP.3, paragrafen 197–198.

<sup>222</sup> [www.nytimes.com/2025/05/24/world/middleeast/israel-gaza-aid-plan.html](https://www.nytimes.com/2025/05/24/world/middleeast/israel-gaza-aid-plan.html). [https://](https://x.com/UNLazarini/status/1952717201435185309)

<sup>223</sup> [x.com/UNLazarini/status/1952717201435185309](https://x.com/UNLazarini/status/1952717201435185309); [www.unrwausa.org/unrwa-usa-press-releases/let-unrwa-work-stop-the-engineered-starvation-of-gaza](https://www.unrwausa.org/unrwa-usa-press-releases/let-unrwa-work-stop-the-engineered-starvation-of-gaza). [https://content.forensic-](https://content.forensic-architecture.org/wp-content/uploads/2025/08/2025.08.22_The-Architecture-of-Genocidal-Starvation-in-Gaza_FA.pdf)

<sup>224</sup> [architecture.org/wp-content/uploads/2025/08/2025.08.22\\_The-Architecture-of-Genocidal-Starvation-in-Gaza\\_FA.pdf](https://content.forensic-architecture.org/wp-content/uploads/2025/08/2025.08.22_The-Architecture-of-Genocidal-Starvation-in-Gaza_FA.pdf), paragrafen 171–174; [www.doctorswithoutborders.org/sites/default/files/documents/MSF-Gaza-ThisIsNotAid-FINAL.pdf](https://www.doctorswithoutborders.org/sites/default/files/documents/MSF-Gaza-ThisIsNotAid-FINAL.pdf), blz. 6.

<sup>225</sup> [www.whitehouse.gov/videos/president-trump-holds-a-press-conference-with-prime-minister-netanyahu-of-israel/](https://www.whitehouse.gov/videos/president-trump-holds-a-press-conference-with-prime-minister-netanyahu-of-israel/), 38:31–40:07.

<sup>226</sup> [www.unrwa.org/resources/reports/unrwa-situation-report-163-situation-gaza-strip-and-west-bank-including-east-jerusalem](https://www.unrwa.org/resources/reports/unrwa-situation-report-163-situation-gaza-strip-and-west-bank-including-east-jerusalem); [www.unrwa.org/resources/reports/unrwa-situation-report-187-situation-gaza-strip-and-west-bank-including-east-jerusalem](https://www.unrwa.org/resources/reports/unrwa-situation-report-187-situation-gaza-strip-and-west-bank-including-east-jerusalem). <https://forensic-architecture.org/investigation/aid-in-gaza>. <https://news.un.org/en/story/2025/09/1165774>. [https://](https://x.com/RapidResponse47/status/1972726021196562494)

<sup>227</sup> [aid-in-gaza](https://news.un.org/en/story/2025/09/1165774). <https://news.un.org/en/story/2025/09/1165774>. [https://](https://x.com/RapidResponse47/status/1972726021196562494)

<sup>228</sup> [x.com/RapidResponse47/status/1972726021196562494](https://x.com/RapidResponse47/status/1972726021196562494);

<sup>229</sup> [www.middleeastmonitor.com/20251013-gaza-foundation-a-dark-page-in-the-history-of-humanitarian-work-comes-to-an-end/](https://www.middleeastmonitor.com/20251013-gaza-foundation-a-dark-page-in-the-history-of-humanitarian-work-comes-to-an-end/).

<sup>230</sup> [www.belgianewsagency.eu/belgian-military-returns-after-humanitarian-drops-in-gaza](https://www.belgianewsagency.eu/belgian-military-returns-after-humanitarian-drops-in-gaza).

<sup>231</sup> [www.canada.ca/en/global-affairs/news/2025/08/canadian-armed-forces-air-drop-humanitarian-assistance-in-gaza.html](https://www.canada.ca/en/global-affairs/news/2025/08/canadian-armed-forces-air-drop-humanitarian-assistance-in-gaza.html).

<sup>232</sup> [www.fmn.dk/da/nyheder/2025/forsvarets-transportfly-kaster-nodhjelp-ned-over-gaza/](https://www.fmn.dk/da/nyheder/2025/forsvarets-transportfly-kaster-nodhjelp-ned-over-gaza/).

<sup>233</sup> [www.jaf.mil.jo/NewsView.aspx?NewsId=59946](https://www.jaf.mil.jo/NewsView.aspx?NewsId=59946).

<sup>234</sup> [www.gov.uk/government/news/uk-forces-airdrop-100-tonnes-of-aid-for-gaza-civilians](https://www.gov.uk/government/news/uk-forces-airdrop-100-tonnes-of-aid-for-gaza-civilians). [www.unrwa.org/](https://www.unrwa.org/resources/reports/unrwa-situation-report-182-situation-gaza-strip-and-west-bank-including-east-jerusalem)

<sup>235</sup> [resources/reports/unrwa-situation-report-182-situation-gaza-strip-and-west-bank-including-east-jerusalem](https://www.unrwa.org/resources/reports/unrwa-situation-report-182-situation-gaza-strip-and-west-bank-including-east-jerusalem).

<sup>236</sup> [www.ohchr.org/en/press-releases/2025/10/israel-must-ensure-safety-and-liberty-flotilla-activists-after-another](https://www.ohchr.org/en/press-releases/2025/10/israel-must-ensure-safety-and-liberty-flotilla-activists-after-another); [www.ohchr.org/en/press-releases/2025/09/un-experts-stand-solidarity-global-sumud-flotilla-demand-full-protection-all](https://www.ohchr.org/en/press-releases/2025/09/un-experts-stand-solidarity-global-sumud-flotilla-demand-full-protection-all).

<sup>237</sup> <https://news.un.org/en/story/2025/01/1159586>.

Israëlish bpb (een daling ten opzichte van 61 procent in 2022).<sup>238</sup> De EU, de grootste handelspartner van het land, leverde de afgelopen twee jaar bijna een derde van de totale handel.<sup>239</sup>

57. Importen die verder gaan dan wapens zijn essentieel om de goederen te beveiligen die nodig zijn om de illegale bezetting en andere onrechtmatige Israëlische beleidsmaatregelen en praktijken in stand te houden.<sup>240</sup> Veel Israëlische importen zijn goederen voor tweërlei gebruik, die gebruikt kunnen worden voor de productie van zowel civiele als militaire producten. In 2024 vertegenwoordigden deze goederen 31 procent van de Israëlische goederenimport uit de Europese Unie.<sup>241</sup>

58. De export leverde Israël in 2022-2024 US\$ 474 miljard op,<sup>242</sup> wat de economie en de schatkist aanwakkerde en de wapenproductiecapaciteit versterkte door de export van goederen voor tweërlei gebruik. In 2023 werden geïntegreerde schakelingen Israëls belangrijkste exportproduct, goed voor 16 procent van de Israëlische goederenexport (US\$ 10 miljard).<sup>243</sup> Vaak verkocht als civiele technologie,<sup>244</sup>

Deze goederen zijn voor tweërlei gebruik bestemd en essentieel voor de Israëlische militaire systemen waarmee Palestijnen worden bewaakt, gecontroleerd en gedood. Ze versterken de militair-civiele economische symbiose en de rol van Israël in de wereldwijde technologische wapenwedloop.<sup>245</sup> Precisiegeleide munitie, drones en raketverdedigingssystemen zijn allemaal afhankelijk van dergelijke gespecialiseerde circuits voor navigatie, radar en controle.

59. De Israëlische handel wordt versterkt door ten minste 45 economische samenwerkingsovereenkomsten, waaronder met de EU, de VS en de VAE (ter uitvoering van de Abraham-akkoorden). Deze overeenkomsten nemen tarief- en niet-tarifaire belemmeringen voor goederen en diensten voor tweërlei gebruik en defensie weg, terwijl er vaak geen onderscheid wordt gemaakt in de betrekkingen met de bezette Palestijnse gebieden. Ze erkennen impliciet het Israëlische gezag over illegale kolonisten en hun bedrijven en over geannexerd land.

60. Economische samenwerking reikt ook verder dan handel. Sinds 2014 heeft het Kader voor Onderzoek en Innovatie van de Europese Commissie (sinds 2021 Horizon Europa) € 2,1 miljard aan subsidies verstrekt aan Israëlische entiteiten op het gebied van wetenschap, technologie en innovatie.

veel ontwikkelen technologieën voor dubbel gebruik en militaire technologieën.<sup>247</sup> De Europese Innovatieraad van het programma heeft sinds 2021 ook 34 Israëlische bedrijven gefinancierd met € 550 miljoen aan eigen vermogen en gemengde financiering, waardoor Israël tot de landen behoort met de hoogste begunstigden per hoofd van de bevolking.<sup>248</sup>

61. Sinds 1981 heeft de Europese Investeringsbank Israëlische entiteiten gefinancierd met € 2,7 miljard,<sup>249</sup> inclusief € 760 miljoen aan leningen aan Bank Leumi,<sup>250</sup> die vermeld staan in de OHCHR-database.<sup>251</sup> Andere overeenkomsten zijn onder meer de US-Israel BIRD en de US-Israel BSF, de overeenkomst tussen de Israeli Foreign Trade Risks Insurance Corporation en UAE Etihad Credit Insurance en het China-Israel Innovation Partnership.

62. Staten hebben grotendeels maatregelen om aan hun wettelijke verplichtingen te voldoen, vermeden. Sinds 1967 is geen enkele handels- of economische overeenkomst opgeschort. Slechts enkele staten hebben hun handel teruggeschoefd te midden van de aanhoudende genocide, met name Turkije, dat de opschorting van

<sup>238</sup> <https://data.worldbank.org/indicator/NE.TRD.GNFS.ZS?end=2024&locations=IL>.

<sup>239</sup> [https://policy.trade.ec.europa.eu/eu-trade-relationships-country-and-region/countries-and-regions/israel\\_en](https://policy.trade.ec.europa.eu/eu-trade-relationships-country-and-region/countries-and-regions/israel_en)

<sup>240</sup> A/HRC/59/23, par. 34,56.

<sup>241</sup> Eigen berekening op basis van goederen voor dubbel gebruik: [https://policy.trade.ec.europa.eu/help-exporters-and-importers/exporting-dual-use-items\\_en](https://policy.trade.ec.europa.eu/help-exporters-and-importers/exporting-dual-use-items_en); en bilaterale handelsgegevens van Eurostat: <https://ec.europa.eu/eurostat/comext/newxtweb/submitopensavedextraction.do?extractionId=1870714&datasetID=DS-059322&keepsessionkey=true>

<sup>242</sup> <https://data.worldbank.org/indicator/NE.EXP.GNFS.CD?end=2024&locations=IL&start=2022>

<sup>243</sup> <https://oec.world/en/profile/country/isr>

<sup>244</sup> <https://en.globes.co.il/en/article-scd-wins-115m-deal-defense-ministry-infrared-sensor-1001520430>

<sup>245</sup> <https://startupnationcentral.org/hub/blog/israels-tech-response-to-a-multi-front-conflict/>

<sup>246</sup> [https://dashboard.tech.ec.europa.eu/qs\\_digit\\_dashboard\\_mt/public/sense/app/d58f3864-d519-4f9f-855e-c34f9860acdd/sheet/7a2acdb7-ee97-4161-affe-302abc4888bb/state/analysis?](https://dashboard.tech.ec.europa.eu/qs_digit_dashboard_mt/public/sense/app/d58f3864-d519-4f9f-855e-c34f9860acdd/sheet/7a2acdb7-ee97-4161-affe-302abc4888bb/state/analysis?utm_source=substack&utm_medium=email)  
utm\_source=substack&utm\_medium=email .

<sup>247</sup> A/HRC/59/23, paragraaf 84.

<sup>248</sup> Zie ook: <https://eic-datahub.eisma.eu/>; <https://data.worldbank.org/indicator/SP.POP.TOTL>.

<sup>249</sup> <https://www.eib.org/en/projects/country/israel>.

<sup>250</sup> <https://www.eib.org/en/press/all/2023-250-eib-and-israel-s-bank-leumi-strengthen-climate-action-and-sustainable-development-cooperation-following-eur-500-m-transaction>

<sup>251</sup> <https://files.nettsteder.regjeringen.no/wpuploads01/sites/275/2025/08/Leumi-ENG.pdf>; [https://www.hrw.org/sites/default/files/report\\_pdf/israel0518\\_web.pdf](https://www.hrw.org/sites/default/files/report_pdf/israel0518_web.pdf); <https://www.whoprofits.org/companies/company/3790>.

alle handel met Israël in mei 2024,<sup>252</sup> resulterend in een vermindering van 64 procent van de import van Turkse oorsprong en een bijna volledige stopzetting van de export in januari-augustus 2025,<sup>253</sup> hoewel sommige handel naar verluidt indirect is doorgegaan.<sup>254</sup> Ondertussen verhoogden andere landen hun handel met Israël tijdens de genocide, waaronder Duitsland (+US\$836 miljoen), Polen (+US\$237 miljoen), Griekenland (+US\$186 miljoen), Italië (+US\$117 miljoen), Denemarken (+US\$99 miljoen), Frankrijk (+US\$75 miljoen) en Servië (+US\$56 miljoen), evenals Arabische landen, waaronder de Verenigde Arabische Emiraten (+US\$237 miljoen), Egypte (+US\$199 miljoen), Jordanië (+US\$41 miljoen) en Marokko (+US\$6 miljoen). Dit compenseerde de handelsdaling waarmee Israël anders te maken zou hebben gehad (–6 procent).<sup>255</sup>

63. De verplichting van derde landen om op te treden tegen schendingen van het internationaal recht wordt vaak opgenomen in verdragen. Zo stelt de vrijhandelsovereenkomst tussen Turkije en Israël uit 1996 de samenwerking afhankelijk van eerbiediging van de openbare orde, goede zeden, internationale vrede en veiligheid.<sup>256</sup> Evenzo maakt de associatieovereenkomst tussen de EU en Israël mensenrechten en democratische beginselen tot een "essentiële-elementenclausule".<sup>257</sup> Deze beginselen blijven echter on vervuld. Een intern document van de EU uit 2024, dat in augustus 2025 uitlekte, laat zien hoe vastbesloten de EU was om de normale gang van zaken te handhaven, ondanks bewijs van Israëlische schendingen van de voorwaarden van de overeenkomst in het licht van de illegale bezetting en genocide.<sup>258</sup> Het voorstel van de Europese Commissie om kernhandelspreferenties voor 37 procent van de Israëlische export naar de EU te schrappen, wacht nog op goedkeuring.<sup>259</sup>

64. Naast de opschorting van de handelsovereenkomst met Israël moeten staten ook alle handel met Israël in producten voor tweeeërlei gebruik opschorten, zoals de EU deed met Rusland na de inval in Oekraïne.<sup>260</sup> In het geval van de EU vertegenwoordigde dit 38 procent van alle handel tussen de EU en Israël (US\$ 17,5 miljard) in 2024, gebaseerd op de EU-definitie van tweeeërlei gebruik.<sup>261</sup> De grootste handel in producten voor tweeeërlei gebruik betreft geïntegreerde schakelingen met Ierland, die steeg van US\$ 2,2 miljard in 2022 naar US\$ 3,2 miljard in 2024.<sup>262</sup>

65. De handel in energie is vaak onderworpen geweest aan embargo's die erop gericht waren landen in overeenstemming te brengen met hun internationale wettelijke verplichtingen: voorbeelden hiervan zijn het Zuid-Afrika van de apartheid<sup>263</sup> en, op dit moment, Rusland<sup>264</sup> en Iran.<sup>265</sup> In het geval van Israël is alleen Colombia, dat in 2024 de export van steenkool naar Israël verbod, in actie gekomen.<sup>266</sup> Rusland en de Verenigde Staten waren belangrijke leveranciers van geraffineerde brandstofproducten aan Israël, terwijl Azerbeidzjan, Kazachstan, Brazilië en Zuid-Afrika

<sup>252</sup> <https://ticaret.gov.tr/data/675d31b813b8761ad0813b54/Ticaretin%20Bakanl%C4%B1g%C4%B1%20%20C4%B0sraile%20Ticaretin%20Durudurulmas%C4%B1%20S%C3%BCreci%20Hakk%C4%B1nda%20Bilgi%20Notu.pdf>; <https://x.com/ticaret/status/1786126879763599797/photo/2>.

<sup>253</sup> [www.cbs.gov.il/en/mediarelease/Pages/2025/Israel-Foreign-Trade-in-Goods-by-Country-August-2025.aspx](http://www.cbs.gov.il/en/mediarelease/Pages/2025/Israel-Foreign-Trade-in-Goods-by-Country-August-2025.aspx).

<sup>254</sup> [www.duvarenglish.com/turkey-breaches-its-own-trade-embargo-on-israel-by-shipping-crude-oil-report-news-65319](http://www.duvarenglish.com/turkey-breaches-its-own-trade-embargo-on-israel-by-shipping-crude-oil-report-news-65319); [www.duvarenglish.com/new-report-reveals-series-of-crude-oil-shipments-from-turkey-to-israel-news-65412](http://www.duvarenglish.com/new-report-reveals-series-of-crude-oil-shipments-from-turkey-to-israel-news-65412).

<sup>255</sup> De gerapporteerde cijfers zijn veranderingen tussen 2023 en 2025 ten opzichte van januari-augustus. Bilaterale handelsgegevens: [www.cbs.gov.il/en/mediarelease/Pages/2025/Israel-Foreign-Trade-in-Goods-by-Country-August-2025.aspx](http://www.cbs.gov.il/en/mediarelease/Pages/2025/Israel-Foreign-Trade-in-Goods-by-Country-August-2025.aspx).

<sup>256</sup> <https://www.trade.gov.tr/free-trade-agreements/israel>.

<sup>257</sup> [https://eeas.europa.eu/archives/delegations/israel/documents/eu\\_israel/asso\\_agree\\_en.pdf](https://eeas.europa.eu/archives/delegations/israel/documents/eu_israel/asso_agree_en.pdf)

<sup>258</sup> <https://electronicintifada.net/blogs/david-cronin/intern-document-toont-aan-dat-de-eu-de-sancties-tegen-israël-probeerde-af-te-schermen>

<sup>259</sup> [www.middleeasteye.net/news/eu-commission-proposes-freezing-trade-pact-israel-gaza](http://www.middleeasteye.net/news/eu-commission-proposes-freezing-trade-pact-israel-gaza).

<sup>260</sup> [https://commission.europa.eu/topics/eu-solidarity-ukraine/eu-sanctions-against-russia-following-invasion-ukraine/sanctions-dual-use-goods\\_en](https://commission.europa.eu/topics/eu-solidarity-ukraine/eu-sanctions-against-russia-following-invasion-ukraine/sanctions-dual-use-goods_en).

<sup>261</sup> Eigen berekeningen op basis van goederen voor dubbel gebruik: [https://policy.trade.ec.europa.eu/help-exporters-and-importers/exporting-dual-use-items\\_en](https://policy.trade.ec.europa.eu/help-exporters-and-importers/exporting-dual-use-items_en) en Eurostat-gegevens: <https://ec.europa.eu/eurostat/comext/newxtweb/submitopensavedextraction.do?extractionId=1870714&datasetID=DS-059322&keepsessionkey=true>.

<sup>262</sup> [www.cbs.gov.il/en/Pages/Imports-and-Exports.aspx](http://www.cbs.gov.il/en/Pages/Imports-and-Exports.aspx).

<sup>263</sup> [www.econ.yale.edu/growth\\_pdf/cdp796.pdf](http://www.econ.yale.edu/growth_pdf/cdp796.pdf).

<sup>264</sup> <https://commission.europa.eu/topics/eu-solidariteit-oekraïne/eu-sancties-tegen-rusland-na-invasie-oekraïne/sancties-energie>.

<sup>265</sup> [www.state.gov/releases/2025/07/sanctioning-entities-that-have-traded-in-irans-petroleum](http://www.state.gov/releases/2025/07/sanctioning-entities-that-have-traded-in-irans-petroleum).

<sup>266</sup> [www.mincit.gov.co/normatividad/decretos/2024/decreto-1047-del-14-de-agosto-de-2024](http://www.mincit.gov.co/normatividad/decretos/2024/decreto-1047-del-14-de-agosto-de-2024).

bleef Israël voorzien van essentiële grondstoffen.<sup>267</sup> Landen zoals Marokko<sup>268</sup>, Italië,<sup>269</sup> Frankrijk<sup>270</sup> en Turkije<sup>271</sup> zijn belangrijke havens voor producten, waaronder olie en gas, blijven leveren.<sup>272</sup> De Europese Unie en Egypte zijn gas blijven importeren uit Israël via de oostelijke Middellandse Zee-gaspijpleiding, die illegaal door de zee grenst aan de Gazastrook, waardoor de Palestijnse soevereine rechten worden geschonden.<sup>273</sup> In augustus 2025, terwijl hongersnood Gaza teisterde, breidde Egypte zijn partnerschap met Israël uit met een aardgasdeal van 35 miljard dollar – de grootste exportdeal in de Israëliëse geschiedenis.<sup>274</sup>

66. De handel en de levering van materialen en wapens aan Israël zijn afhankelijk van de transportinfrastructuur van derde landen. Havens waarvan bekend is dat ze de overslag naar Israël van F-35-onderdelen,<sup>275</sup> wapens, vliegtuigbrandstof, olie<sup>276</sup> en/of andere materialen hebben gefaciliteerd, zijn onder meer Turkije<sup>277</sup>, Frankrijk<sup>278</sup> Italië,<sup>279</sup> België,<sup>280</sup> Nederland,<sup>281</sup> Griekenland,<sup>282</sup> Marokko<sup>283</sup> en de VS.<sup>284</sup> Vliegvelden in Ierland,<sup>285</sup> België en de Verenigde Staten<sup>287</sup> ondersteunen ook transport. Veel havens faciliteren ook de Israëliëse gasexport, onder meer via de EMG-pijpleiding naar Egypte.<sup>288</sup> Havenarbeiders in

<sup>267</sup> <https://docs.datadesk.eco/public/976ce7dcf00743dc/>; <https://oilchange.org/wp-content/uploads/2024/08/behind-the-barrel-august-2024-v3.pdf> ; <https://www.somo.nl/powering-injustice/>

<sup>268</sup> <https://www.genocidewatch.com/single-post/het-voeden-van-de-machinerie-van-genocide-de-achterdeursteun-van-Marokko-voor-de-oorlog-van-Israël-in-Gaza>

<sup>269</sup> <https://www.politico.eu/article/italian-dockworkers-threaten-israel-cargo-ban-gaza-flotilla-departs-genova/>

<sup>270</sup> <https://www.france24.com/nl/live-nieuws/20250605-Franse-havenarbeiders-blokken-verzending-van-militair-materiaal-voor-de-Israël-unie-1>

<sup>271</sup> <https://thecradle.co/articles/israel-is-not-isolated-a-global-web-of-oil-and-complicity>

<sup>272</sup> <https://docs.datadesk.eco/public/976ce7dcf00743dc/>.

<sup>273</sup> A/HRC/59/23, par. 58; [https://energy.ec.europa.eu/publications/eu-egypt-israel-memorandum-understanding\\_en](https://energy.ec.europa.eu/publications/eu-egypt-israel-memorandum-understanding_en); <https://globalwitness.org/en/campaigns/fossil-fuels/eu-risks-breaching-international-law-over-israeli-gas-deal-legal-experts-say/>; <https://www.tni.org/en/article/leaking-imperialism>.

<sup>274</sup> [www.reuters.com/business/energy/israels-leviathan-signs-35-billion-natural-gas-supply-deal-with-egypt-2025-08-07/](https://www.reuters.com/business/energy/israels-leviathan-signs-35-billion-natural-gas-supply-deal-with-egypt-2025-08-07/) . [www.maskoffmaersk.com/](https://www.maskoffmaersk.com/)

<sup>275</sup> reports

<sup>276</sup> <https://docs.datadesk.eco/public/976ce7dcf00743dc/>

<sup>277</sup> <https://progressive.international/wire/2024-10-28-international-call-to-action-bp-and-socar-stop-fuelling-genocide/en> . <https://disclose.ngo/fr/>

<sup>278</sup> <https://bdsmovement.net/news/stop-transit-article/la-france-sapprete-a-livrer-des-equipements-pour-mitrailleuses-vers-israel> . <https://bdsmovement.net/news/stop-transit-article/la-france-sapprete-a-livrer-des-equipements-pour-mitrailleuses-vers-israel>

<sup>279</sup> <https://nl.flows.be/shipping/2025/07/antwerp-port-not-allowed-to-forward-military-equipment-to-israel/>

<sup>281</sup> [www.maskoffmaersk.com/s/Technical-Briefing-on-Dutch-Ports-and-Maersk\\_-Sustaining-the-Israeli-Militaries-F-35s.pdf](https://www.maskoffmaersk.com/s/Technical-Briefing-on-Dutch-Ports-and-Maersk_-Sustaining-the-Israeli-Militaries-F-35s.pdf) . <https://bdsmovement.net/>

<sup>282</sup> [news/Military-Supplies-Israeli-Military-Industries-Bombay](https://www.maskoffmaersk.com/s/Technical-Briefing-on-Dutch-Ports-and-Maersk_-Sustaining-the-Israeli-Militaries-F-35s.pdf).

<sup>283</sup> [https://www.maskoffmaersk.com/s/Technical-Briefing-on-Dutch-Ports-and-Maersk\\_-Sustaining-the-Israeli-Militaries-F-35s.pdf](https://www.maskoffmaersk.com/s/Technical-Briefing-on-Dutch-Ports-and-Maersk_-Sustaining-the-Israeli-Militaries-F-35s.pdf) , blz. 3.

<sup>284</sup> <https://www.maskoffmaersk.com/s/Report-MaerskShipmentsIsrael-Rev7Nov2024-Final.pdf>; [www.somo.nl/fuelling-the-flames-in-gaza/](https://www.somo.nl/fuelling-the-flames-in-gaza/)

<sup>285</sup> [www.rte.ie/news/clarity/2025/0530/1515792-why-shannon-airport-remains-a-key-gateway-for-us-military/](https://www.rte.ie/news/clarity/2025/0530/1515792-why-shannon-airport-remains-a-key-gateway-for-us-military/) ; [www.shannonwatch.org/content/us-military-aircraft-through-shannon-between-18-march-and-31-july-2024/](https://www.shannonwatch.org/content/us-military-aircraft-through-shannon-between-18-march-and-31-july-2024/); [www.shannonwatch.org/content/us-military-aircraft-through-shannon-and-irish-airspace-between-7-oct-2023-and-17-march-2024](https://www.shannonwatch.org/content/us-military-aircraft-through-shannon-and-irish-airspace-between-7-oct-2023-and-17-march-2024) .

<sup>286</sup> [https://ipisresearch.be/wp-content/uploads/2024/03/20240305\\_Vredesactie-IPIS-Belgische-wapenexport-naar-Israel.pdf](https://ipisresearch.be/wp-content/uploads/2024/03/20240305_Vredesactie-IPIS-Belgische-wapenexport-naar-Israel.pdf)

<sup>287</sup> <https://www.maskoffmaersk.com/s/Exposed-Oakland-Airports-Military-Cargo-Shipments-To-Israël.pdf> . <https://www.tni.org/en/article/leaking-imperialism>

<sup>288</sup> [energy.ec.europa.eu/document/download/c9e9d864-1e30-48ec-a0c3-b4de89873b65\\_en?filename=MoU%20EU%20Egypt%20Israel.pdf](https://energy.ec.europa.eu/document/download/c9e9d864-1e30-48ec-a0c3-b4de89873b65_en?filename=MoU%20EU%20Egypt%20Israel.pdf); [www.tni.org/en/article/leaking-imperialism](https://www.tni.org/en/article/leaking-imperialism) ; [www.instagram.com/p/C6ZkRHloMdi/?img\\_index=1](https://www.instagram.com/p/C6ZkRHloMdi/?img_index=1).

meerdere landen blokkeerden illegale handel in Frankrijk,<sup>289</sup> België,<sup>290</sup> Italië,<sup>291</sup> Marokko,<sup>292</sup> Zweden,<sup>293</sup> Spanje,<sup>294</sup> Gibraltar,<sup>295</sup> Cyprus,<sup>296</sup> Malta<sup>297</sup>, Griekenland,<sup>298</sup> Kreta<sup>299</sup> en de Verenigde Staten.<sup>300</sup> Als reactie hierop schakelen schepen en vliegtuigen vaak transponders uit om routes te verbergen: havens (bijvoorbeeld Marokko)<sup>301</sup> hebben zendingen omgeleid en sommige leveringen gaan via handelaren uit derde landen.<sup>302</sup> België,<sup>303</sup> Spanje<sup>304</sup> en andere landen hebben eraan gewerkt om deze doorvoer te vergemakkelijken.

## V. Conclusie

67. De genocide in Gaza vond niet in een isolement plaats, maar als onderdeel van een systeem van wereldwijde medeplichtigheid. In plaats van ervoor te zorgen dat Israël de fundamentele mensenrechten en de zelfbeschikking van het Palestijnse volk respecteert, hebben machtige derde staten – die koloniale en raciaal-kapitalistische praktijken in stand houden die allang tot de geschiedenis hadden moeten behoren – toegestaan dat gewelddadige praktijken een alledaagse realiteit werden. Zelfs toen het genocidale geweld zichtbaar werd, hebben staten, voornamelijk westerse, Israël militaire, diplomatieke, economische en ideologische steun verleend en blijven ze die verlenen, zelfs terwijl het hongersnood en humanitaire hulp als wapen gebruikte. De verschrikkingen van de afgelopen twee jaar zijn geen aberratie, maar het hoogtepunt van een lange geschiedenis van medeplichtigheid.

68. De handelingen, omissies en uitspraken van derde staten ter ondersteuning van een genocidale apartheidstaat zijn van dien aard dat zij aansprakelijk kunnen en moeten worden gesteld voor het helpen, assisteren bij of gezamenlijk deelnemen aan internationaal onrechtmatige handelingen, binnen een context van systematische schendingen van peremptoire en *erga omnes*-normen. Op dit kritieke moment is het absoluut noodzakelijk dat derde staten onmiddellijk alle militaire, diplomatieke en economische betrekkingen met Israël opschorten en herzien, aangezien een dergelijke betrokkenheid een middel kan vormen om onwettige handelingen, waaronder oorlogsmisdrijven, misdrijven tegen de menselijkheid en genocide, te helpen/bij te staan/rechtstreeks deel te nemen.

69. Veel derde staten hebben gehandeld met dezelfde straffeloosheid die ze Israël hebben verleend. Hun minachting voor het internationaal recht ondermijnt de fundamentele van de multilaterale orde die gedurende tachtig jaar moeizaam is opgebouwd door staten en mensen binnen de Verenigde Naties. Dit zal de geschiedenis ingaan als een schending, niet alleen van de rechtvaardigheid, maar ook van het idee van onze gemeenschappelijke menselijkheid. Hoewel rechtvaardigheid strafprocessen moet omvatten – of dit nu voor internationale of nationale rechtbanken is – reikt verantwoordingsplicht verder dan vervolging en omvat het ook

<sup>289</sup> [www.france24.com/en/live-news/20250605-franse-havenarbeiders-blokkeren-verzending-van-militair-materiaal-voor-israel-union-1](https://www.france24.com/en/live-news/20250605-franse-havenarbeiders-blokkeren-verzending-van-militair-materiaal-voor-israel-union-1).

<sup>290</sup> [www.reuters.com/world/europe/belgian-unions-refuse-handling-arms-shipments-israel-hamas-conflict-2023-10-31/#:~:text=BRUSSELS%2C%20Oct%2031%20\(Reuters\),werknemers%20hebben%20wapens%20gezien](https://www.reuters.com/world/europe/belgian-unions-refuse-handling-arms-shipments-israel-hamas-conflict-2023-10-31/#:~:text=BRUSSELS%2C%20Oct%2031%20(Reuters),werknemers%20hebben%20wapens%20gezien).

<sup>291</sup> <https://thecradle.co/articles/italian-dockworkers-block-passage-of-saudi-ship-carrying-arms-for-israel?fbclid=IwY2xjawNDIgdleHRuA2FlbQlzMABicmlkE>.

<sup>292</sup> [www.newarab.com/news/morocco-bds-wants-stop-maersks-f-35-shipment-israel](https://www.newarab.com/news/morocco-bds-wants-stop-maersks-f-35-shipment-israel). [www.socialisterna.org/hamnstrejken-fortsatter/](https://www.socialisterna.org/hamnstrejken-fortsatter/).

<sup>293</sup> [www.telecinco.es/noticias/sociedad/20240727/manifestantes-algeciras-gobierno-no-barcos-armamento-israel\\_18\\_013124695.html](https://www.telecinco.es/noticias/sociedad/20240727/manifestantes-algeciras-gobierno-no-barcos-armamento-israel_18_013124695.html).

<sup>294</sup> [www.chronicle.gi/overseas-santorini-sails-from-gibraltar-after-kort-logistics-stop-without-refuelling/](https://www.chronicle.gi/overseas-santorini-sails-from-gibraltar-after-kort-logistics-stop-without-refuelling/).

<sup>295</sup> <https://in-cyprus.philenews.com/local/akel-sluit-zich-aan-bij-de-internationale-oproep-om-brandstoftransporten-naar-israel-te-blokkeren/>.

<sup>296</sup> <https://timesofmalta.com/article/fuel-tankers-heading-israel-make-no-official-request-refuel-malta.1096274>.

<sup>297</sup> <https://pamehellas.gr/wapentransport-naar-israel-geblokkeerd-door-arbeiders-van-Piraeus>.

<sup>298</sup> [www.euronews.com/2025/07/29/pro-palestine-group-in-greece-protests-arrival-of-israeli-cruise-ship-on-crete-island](https://www.euronews.com/2025/07/29/pro-palestine-group-in-greece-protests-arrival-of-israeli-cruise-ship-on-crete-island).

<sup>299</sup> <https://liberationnews.org/blokkeer-de-boot-coalitie-piketten-Israëlsche-apartheidsschip-in-Elizabeth-NJ/>.

<sup>300</sup> <https://maritime-executive.com/article/maersk-line-vessel-diverts-to-morocco-due-to-allegations-in-spain>.

<sup>301</sup> [www.middleeasteye.net/news/new-evidence-reveals-routine-oil-shipments-turkey-israel](https://www.middleeasteye.net/news/new-evidence-reveals-routine-oil-shipments-turkey-israel).

<sup>302</sup> <https://bdsmovement.net/news/belgian-court-rules-against-transit-military-equipment>; <https://11.be/en/impact/court-bans-further-transit-of-all-military-equipment-to-israel-with-groundbreaking>. [www.newarab.com/news/over-1000-us-](https://www.newarab.com/news/over-1000-us-arms-exports-israel-made-spain-port-report)

<sup>303</sup> [arms-exports-israel-made-spain-port-report](https://portal.mineco.gob.es/es-es/comunicacion/Paginas/embargo-armas-israel.aspx); <https://portal.mineco.gob.es/es-es/comunicacion/Paginas/embargo-armas-israel.aspx>.

Omvatten herstelbetalingen: restitutie, compensatie, rehabilitatie, genoegdoening en garanties tegen herhaling, door Israël en door derde landen die de misdaden hebben gesteund. De machtsstructuren die deze gruwelijke misdaden mogelijk hebben gemaakt, moeten worden ontmanteld, en het internationale rechtssysteem wijst de weg daartoe.

70. De wereld kijkt naar Gaza en heel Palestina. Staten moeten hun verantwoordelijkheid nemen. Alleen door het recht op zelfbeschikking van het Palestijnse volk te vervullen, dat zo schaaamteloos wordt geschonden door de aanhoudende genocide, kunnen aanhoudende, dwingende mondiale structuren worden ontmanteld. Geen enkele staat kan geloofwaardig beweren zich aan het internationaal recht te houden terwijl hij een genocidaal regime bewapent, steunt of beschermt. Alle militaire en politieke steun moet worden opgeschort; diplomatie moet misdaden voorkomen in plaats van rechtvaardigen. Medeplichtigheid aan genocide moet stoppen.

## VI. Aanbevelingen

71. De speciale rapporteur herinnert aan haar eerdere aanbevelingen en herinnert alle staten aan hun wettelijke verplichting om niet deel te nemen aan of medeplichtig te zijn aan Israëlische schendingen. In plaats daarvan moeten zij ernstige schendingen van het internationaal recht voorkomen en aanpakken, met name zoals uiteengezet in het Handvest van de VN en het Genocideverdrag.

72. Gezien de aanhoudende noodsituatie die niet wordt aangepakt door de huidige vredesbesprekingen en -plannen, dringt de Speciale Rapporteur er bij de Staten op aan geen verdere schade toe te brengen aan het Palestijnse volk en om:

- (a) Druk uitoefenen voor een volledig en permanent staakt-het-vuren en een volledige terugtrekking van de Israëlische troepen;
- (b) Onmiddellijk maatregelen nemen om een einde te maken aan de blokkade van Gaza, met inbegrip van de inzet van marine- en landkonvoien om veilige toegang voor humanitaire hulp en mobiele huisvesting vóór de winter te garanderen;
- (c) Ondersteuning van de heropening van de internationale luchthaven en haven van Gaza om de levering van hulpgoederen te vergemakkelijken.

73. Ook na de noodsituatie moeten staten de zelfbeschikking en rechtvaardigheid van de Palestijnen erkennen als essentieel voor duurzame vrede en veiligheid, en daarom:

- (a) Alle militaire, handels- en diplomatieke betrekkingen met Israël opschorten;
- (B) Onderzoek en vervolg alle functionarissen, bedrijven en individuen die betrokken zijn bij of het faciliteren van genocide, opruiing, misdaden tegen de menselijkheid en oorlogsmisdaden en andere ernstige schendingen van het internationaal humanitair recht;
- (c) het veiligstellen van herstelbetalingen, met inbegrip van volledige wederopbouw en terugkeer;
- (d) volledig samenwerken met het Internationale Strafhof en de Internationaal Gerechtshof;
- (e) De steun aan UNRWA en het VN-systeem als geheel bevestigen en versterken;
- (f) Israël opschorten uit de Verenigde Naties krachtens artikel 6 van de VN Charter;
- (g) Handelen onder "Uniting for Peace", in overeenstemming met resolutie 377(V) van de Algemene Vergadering, om ervoor te zorgen dat Israël zijn bezetting opheft.

74. De speciale rapporteur dringt er tevens bij vakbonden, advocaten, het maatschappelijk middenveld en gewone burgers op aan om de acties van staten naar aanleiding van deze aanbevelingen te monitoren en om instellingen, regeringen en bedrijven te blijven aandringen op boycots, desinvesteringen en sancties, totdat er een einde komt aan de illegale bezetting van Israël en de daarmee samenhangende misdaden.